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## Senate

(Legislative day of Thursday, February 3, 2022)

The Senate met at 3 p.m., on the expiration of the recess, and was called to order by the Honorable MAZIE K. HIRONO, a Senator from the State of Hawaii.

### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal God, enthroned in holiness, we lift our praise to You. We praise You for Your might, mercy, and majesty. Great is Your faithfulness. Because of Your mercies, we are not consumed.

Lord, give our lawmakers the wisdom to place their trust in You, for You have been their help in ages past and continue to be their hope for tomorrow.

Today, may they claim Your promise to guide them through time into eternity. When their strength is gone, renew them anew.

We pray in Your magnificent Name. Amen.

### PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. LEAHY).

The legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, February 7, 2022.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable MAZIE K. HIRONO, a Senator from the State of Hawaii, to perform the duties of the Chair.

PATRICK J. LEAHY,  
President pro tempore.

Ms. HIRONO thereupon assumed the Chair as Acting President pro tempore.

### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

### MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business, with the Senators permitted to speak therein for up to 10 minutes each.

### RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

### ECONOMIC GROWTH

Mr. SCHUMER. Madam President, on Friday, our country received another extraordinary bit of news about the state of our economic recovery. Last month, the economy created 467,000 new jobs, far exceeding all expectations. This comes on the heels of news that our economy grew at its fastest rate in decades last year.

With last week's jobs numbers, the U.S. economy now has added a total of 6.6 million jobs in President Biden's

first year in office. Let me say that again. In 1 year alone, the economy has added a whopping 6.6 million jobs back to the economy—the most ever recorded for a President's first year. This includes the creation of 367,000 manufacturing jobs—the most in 30 years.

For all the difficulties of the past 2 years and for the real challenges our economy faces today, this jobs number is a remarkable milestone. It is a reminder that who gets elected to office makes a big difference.

A year ago, Democrats promised to fix the mess our country was in after President Trump botched our pandemic response. We promised to lift our economy out of the abyss, to get people back to work, back to the classroom, and to do it safely by following the science. It is why Democrats worked furiously last year to pass the American Rescue Plan. It is why the Senate came together to pass USICA, which we will work to enact into law in the near future. It is why we came together to pass a historic, bipartisan infrastructure package that is now putting people back to work fixing our roads, bridges, internet, lead piping, and so much more.

With 6.6 million jobs gained and record economic growth in our first year, Democrats are delivering on our promise. And it is not just that job creation exceeded expectations; wages for American workers grew in 2021, and indications from top forecasters are that wages will continue to grow in 2022.

A year into executing our Democratic agenda, the American economy is in the midst of a historic turnaround, but the job is not over. Even as wages are up, Democrats are taking action to lower costs. We need to help everyday families afford the daily essentials, just as we need to relieve our supply chains and rebuild American manufacturing, including by focusing on critical technologies like semiconductors.

• This “bullet” symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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We took an important step in the right direction last week after the House passed the companion legislation to USICA. I applaud the House for passing this legislation, and I join my Senate colleagues from both sides of the aisle in saying we were pleased to have gotten the ball rolling when we passed the USICA bill—formally known as Endless Frontiers—last summer.

There is a lot of work to do to enact USICA into law, so I look forward to moving quickly to a conference so the House and Senate can bridge the differences between our proposals.

Once again, I want to thank my colleagues from both sides of the aisle for leadership on this very important legislation.

This will continue to be Democrats' focus: lowering costs, increasing wages, and bringing jobs back from overseas, while creating more jobs right here at home. It is what Democrats have worked on for the past 12 months as we have helped Americans get back to normal, and it is what we will continue to focus on as we enter year 2 of the Biden administration.

#### FORCED ARBITRATION

Mr. SCHUMER. Madam President, now on forced arbitration.

On a different matter, later today, the House is expected to pass bipartisan legislation to end forced arbitration for sexual assault and sexual harassment. Once this important bill passes the House, the Senate will move as soon as this week to quickly take up this bill and send it to President Biden's desk. Congress can finally act to empower victims of sexual assault and sexual harassment to speak openly by nullifying forced arbitration clauses that push survivors into an often secret and biased process. We will not waste this historic opportunity.

There are numerous good proposals that we can address here in the Senate on a bipartisan basis, and this is one good example. We hope to do more. The Senate's forced arbitration proposal, the Ending Forced Arbitration of Sexual Assault and Sexual Harassment Act of 2021, passed unanimously out of the Judiciary Committee. Every Democrat and every Republican voted for it. I expect there will be strong, bipartisan support for it on the Senate floor. I want to thank my colleagues Senator KIRSTEN GILLIBRAND and Senator LINDSEY GRAHAM for their leadership on this important legislation.

#### BOMB THREATS AT HISTORICALLY BLACK COLLEGES AND UNIVERSITIES

Mr. SCHUMER. Madam President, next, bomb threats at HCBUs.

All of us in the Senate are disturbed, sickened, and outraged, frankly, at the wave of anonymous bomb threats that have recently arisen across dozens of historically Black colleges and universities. Since the start of this year, at

least 26 HBCUs in a dozen States and the District of Columbia have received such threats, including a dozen schools last week. These bomb threats are clearly racially motivated, and I join my colleagues in condemning these acts of hatred in the strongest possible terms.

Bomb threats against HBCUs have an especially malevolent place in our country's history. Black Americans don't need to think that far back to when bombs were set off in the middle of the campus at Florida A&M University in 1999. To see these threats today is a reminder of the hatred we have yet to overcome.

Nothing can be more sickening than efforts to use fear, violence, and White supremacy in hopes of stealing the promise of a good education for millions of Black Americans. HBCUs are a vital part of our economy and education system, educating some of our Nation's greatest leaders, innovators, and activists.

I want to commend all the presidents, faculty, and staff across the country's HBCUs for responding to these acts of hatred with resolve and strength. And to all the students who attend HBCUs, this should never happen. Those responsible must—must—be prosecuted to the fullest extent of law.

My colleagues and I have been in communication with the FBI, Homeland Security, the Department of Justice, and the Department of Education on steps the Agencies and the Senate can take to address these violent threats. We are confident those responsible will be held accountable.

#### JANUARY 6

Mr. SCHUMER. Madam President, on an entirely different matter, normally I don't make a point of remarking upon actions and statements of the Republican National Committee, which by now has completely fallen under the control of former President Donald Trump and his inner circle, but last week, they crossed a line, issuing a statement that censured two Republicans who stood up to the Big Lie, while also describing the insurrection of January 6 as "legitimate political discourse." Their statement didn't even make mention of the violence that day.

There is no debate to be had here. January 6 was an armed insurrection. It was an attempt to reverse through violent means the outcome of a free and fair election, and it was fundamentally rooted in Donald Trump's Big Lie that the election of 2020 was illegitimate, which now the RNC seems to be giving its blessing officially.

For the national committee of one of America's two major political parties to officially sign on to the Big Lie—and more than that, to excuse the attack itself by attributing even a shred of legitimacy to it—is chilling and plainly dangerous. It puts us on a road where our democracy is at risk.

It is a sad commentary on how far the political arm of the GOP has gone that the RNC will go out of its way to punish its own Members who spoke out against the former President's lies, while defending the rioters who tried to undo an election with mob rule. Theirs will be nothing less than everlasting shame.

I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### CHINA

Mr. MCCONNELL. Madam President, this year's Winter Olympics are officially underway on the home turf of the Chinese Communist Party. Of course, Americans are rooting hard for our outstanding Team USA athletes, but this year's setting has also trained spotlights worldwide on the abuse and repression the CCP inflicts on its own people and aspires to inflict on much of the world. Unfortunately, this has also occasioned some instances of jaw-dropping tone-deafness and gullibility from American voices.

I noted on this floor several years ago that as China has modernized its economy, too many wealthy and powerful American actors have seemed willing to help whitewash the CCP's many abuses or at least turn a blind eye. Hollywood self-censoring our own American films to satisfy President Xi and his cronies is just one example.

Well, last week, one American broadcaster seemed to uncritically amplify the CCP's propaganda goal when they included a member of the oppressed Uighur minority in the opening ceremonies.

This broadcaster called the CCP's obvious propaganda stunt "an in-your-face response to those Western nations, including the U.S., who have called this Chinese treatment of that group 'genocide.'" President Xi couldn't have scripted it better.

Also, last week, a faculty member at a Big Ten university went on TV and compared China's secret police to American police officers and China's tyranny to America's voting laws. Here was the quote:

Who are we to criticize China's human rights record when we have ongoing attacks by the agents of the State against unarmed citizens, and we've got assaults on the voting rights of people of color in various States in this country?

Really? Beyond absurd.

The truth is, the CCP has turned Xinjiang Province into a giant oppression factory, where they enslave, sterilize, and commit genocide against the Muslim minority.

The truth is, the CCP has systematically worn down human rights and democracy in Hong Kong and jailed Hongkongers for speaking up.

The truth is, the CCP is an aggressive, irresponsible presence in the Pacific region and well beyond.

America's national security and economic competition with the CCP is a defining challenge for our country—and not just us but for all our friends and partners around the world, anyone who values an international order built on freedom and self-determination instead of their opposites.

Last year, the Senate took some bipartisan steps to strengthen America's hand in that competition. The bipartisan U.S. Innovation and Competition Act was not any Senator's or any committee's or either party's idea of a perfect bill, but this delicate compromise product made headway on issues from critical supply chains to counter-espionage, to intellectual property. And the Senate passed the bill last June, and the House has done nothing for 8 months—nothing from House Democrats from last June until just last week.

So a few days ago, instead of passing the Senate's careful compromise, House Democrats slapped together a partisan bill stuffed with poison pills and the kinds of things they tried to put in their reckless tax-and-spending spree that failed at the end of last year. They didn't even bother to try working with House Republicans. The whole exercise was completely unserious.

House Democrats' version mentions the word "climate" nearly as many times as it mentions the word "China." It pours billions into the U.N. Green Climate Fund so the United States can borrow money from China to give it to an international body, which can then give it to China.

Their bill even goes out of its way to include provisions on—listen to this—marijuana banking.

China has been steadily building up its military and economic might, and the Democrats' answer is to help Americans get high?

Drug overdoses on fentanyl just became the leading cause of death for Americans aged 18 to 45 across our entire country. Much of this poison pours into our country from, of course, China. And Democrats' plan to combat this is some more marijuana on the side?

Needless to say, this is not a winning strategy for a global competition between great powers.

So here is the bottom line. The bipartisan Senate USICA bill was itself a delicate compromise product. Any Democrats hoping to yank the bill to the far left or insert poison pills are badly, badly mistaken.

#### GERMAN CHANCELLOR OLAF SCHOLZ VISIT

Mr. McCONNELL. Madam President, on another matter, today President

Biden will welcome Olaf Scholz, the new German Chancellor, to his first visit to Washington since taking office.

Germany is a crucial ally of the United States. Tens of thousands of U.S. servicemembers reside in Germany, contributing to the collective security of the NATO alliance. According to the State Department, bilateral trade between our countries totaled more than \$260 billion in 2019.

Many in Washington on both sides of the aisle appreciated the increasing leadership role that Chancellor Scholz's predecessor, Angela Merkel, played in international affairs. Germany's overseas contributions in Afghanistan, Iraq, and Africa demonstrated a growing willingness to contribute to international missions that advance our collective security interests.

The German people have built the largest economy in Europe and the fourth largest in the entire world. They are indeed a major player, but there is no question Germany could do more given its influential role, including within the EU and NATO, to advance our shared foreign policy and security interests.

Back during the Cold War, the West German military was truly a capable fighting force, but Germany's military has been allowed to atrophy in the decades since. Today, it lags behind the state of the art and suffers from shortfalls in readiness and regular maintenance.

Germany endorsed the 2014 NATO pledge to commit 2 percent of its GDP to defense and 20 percent of that defense spending toward modernization by 2024. But it has taken very few credible steps to meet that pledge.

Meanwhile, threats to the alliance have only grown since 2014. Russia's and China's decades-long modernization efforts made it clear that 2 percent will not suffice for NATO to meet these growing challenges.

Here in Congress, we have demonstrated our commitment to NATO and to Europe's security. We hosted Jens Stoltenberg for a joint address to Congress 3 years ago. We have included measures supporting America's presence in Europe in our annual Defense bills, including significant investments in our European Deterrence Initiative.

So I hope that Chancellor Scholz will reciprocate and take this opportunity to reassure us about Germany's commitment to NATO and our collective defense. Our friends are too powerful and too prosperous not to contribute more militarily to our alliance.

Of course, building military capabilities takes time. But the urgent issue of Russian aggression in Europe also demands courage and firmness, and it demands it right now. We know how such resolve works. The United States and our allies displayed such firmness again and again in standing up to Soviet pressure, and West Berlin remained a free city because of it.

Chancellor Scholz has plenty of tools at his disposal to join his allies in send-

ing a strong signal to Putin that aggression against Ukraine would carry a tremendous—tremendous—cost.

So let's take one example. A bipartisan chorus in Congress has opposed the Nord Stream 2 Pipeline for years. We have viewed it as a new geopolitical tool for Putin to undermine Ukraine and divide Europe. Germany acknowledges the international community's concerns, hence German delays in moving the project forward.

It would be a powerful demonstration of German leadership for Chancellor Scholz to declare firmly and simply that Russian escalation in Europe will result in the termination—the termination—of Nord Stream 2—not another pause, the end of the pipeline, period.

Likewise, it would send an important message if Chancellor Scholz commits, like other NATO allies have done and like his own predecessor's national security advisor just recommended, that Germany will help Ukraine with legitimate military capabilities so that it can better defend itself against aggression.

So, in conclusion, Germany has been an important pillar in NATO and a strong ally of the United States literally for decades. We welcome the new Chancellor to American soil. The time is now—now—for Germany to stand up and protect the peace and defend the stable Europe that modern Germany itself has helped construct and from which it has greatly benefited.

The ACTING PRESIDENT pro tempore. The Senator from Illinois.

#### JANUARY 6

Mr. DURBIN. Madam President, if you have any memory of the Soviet Union, you can remember that when Moscow was in its ascendancy in that region of the world, their plan included a revision of history. They rewrote chapters of history to make themselves look stronger and better and smarter and more powerful than they ever were.

And we used to mock that in the West and say: Don't they know that history speaks for itself? The facts speak for themselves. They did it time and again.

It was usually the product of authoritarian rule, where one man—strongman—would want his version of history to be written in the books and taught to the children.

Last week, we saw an exercise in Soviet revisionism in, of all places, Salt Lake City, UT. The Republican National Committee met in Salt Lake City, UT, for a national conference, and representatives came from all over the United States.

What they did to start that conference off was to censure two Republican House Members, LIZ CHENEY and ADAM KINZINGER from Illinois. To me, it was the lowest of low tactics to attack these two individuals who are making a bipartisan effort with the January 6, 2021, House committee to

get to the bottom of what happened that day and who was responsible for it.

You might remember that there was a proposal from Speaker PELOSI that we create a bipartisan Commission wherein the House and Senate Democrats and Republicans would turn this matter over, as we have before to a group, to determine what happened that day and what was behind it to avoid its ever happening again and to get one clear definition for history from this bipartisan Commission.

The Commission idea was stopped by Senator McCONNELL, the Republican leader in the Senate. He refused to agree on this bipartisan approach. So Speaker PELOSI, realizing she had a scant majority in the House, said that she was going to still try to put such an investigation together. She invited Republican participation, which didn't work out well. Eventually, two stepped forward—Congresswoman CHENEY and Congressman KINZINGER—and said they would participate.

I know ADAM KINZINGER. He is from my State. We have worked on a few things together. I respect him for his political courage time and again to speak out as he has. I am sorry that he was the subject of that censure.

Sadly, that was not the only mistake made in the Salt Lake City Republican revisionary meeting. What was even worse, if anything could be worse, was the declaration by the Republican National Committee that what happened in this building—in this room—on January 6, 2021, was somehow characterized by a unanimous vote as legitimate political discourse.

The Acting President pro tempore remembers that day, and I do, too. I can't forget it. It was when Vice President Pence was sitting where you are today, and a few minutes after 2 o'clock, the Secret Service came in and whisked him off the platform. We were told there was an attack on the Capitol taking place.

Earlier, there had been a rally, sponsored by President Trump, and he had incited this insurrectionist mob to come up to the Capitol to be heard and seen. They knew why that day was chosen. January 6 was the day we were counting the electoral college vote—the official vote on the selection of Joseph Biden as President of the United States. It was the intention of President Trump and those who came here to interrupt that constitutional process.

It is interesting as well that last week, Vice President Pence, at a Federalist Society meeting, spoke out on the subject and said for the first time that I can recall since he was chosen as Vice President that, in fact, President Trump was wrong—wrong in believing that he had the power as Vice President to change the electoral college vote. Pence made it clear that he did not have that authority.

Well, the Republican National Committee went further in trying to pro-

mote the Big Lie and called what happened on January 6 in this Capitol Building legitimate political discourse.

Do they honestly believe that breaking down the windows and doors of this building to enter as an unruly mob is legitimate political discourse?

Do they believe that spraying toxic bear spray in the faces of our policemen is legitimate political discourse?

Do they believe that 140 injured policemen and 5 people who are deceased as a result of that mob action was somehow legitimate political discourse and that, as they came into the Chamber—these demonstrators who were aping themselves in front of cameras for their friends to take pictures—sitting in the chair where the Acting President pro tempore is sitting today and going through my desk and other desks here to see if there was anything they could take a picture of or steal—that that was legitimate political discourse?

Do they believe that incitement to violence by President Trump to send this mob up here was legitimate political discourse?

Shame on the Grand Old Party. Shame on Mr. Lincoln's party. They should know better. I am glad that a handful have stood up and spoken up. I wish more would.

If we are ever going to put an end to Trumpism in this country and in the Republican Party, only the Republicans can get it done. They have to decide that enough is enough and step forward.

It is interesting to me that, when Senator McCONNELL came to the floor a few minutes ago, he talked about the statement of some Big Ten professor—he didn't name his name—who was not respectful of our police. Of all of the things that happened in the last week that were not respectful of the police, I would certainly add the Salt Lake City Republican national meeting, where the attack on our police was characterized as legitimate political discourse. An incitement to violence was legitimate political discourse.

America is better than that. I sincerely hope that real leaders within the Republican Party will reclaim their party and put an end to this madness that Trumpism has brought them.

#### CORONAVIRUS

Mr. DURBIN. Madam President, on an entirely different subject, on March 26, 2020, America passed a grim milestone when 1,000 Americans died that day of COVID—front page news. Two months later, after Memorial Day, we passed another terrible milestone when 100,000 had died of COVID. As many Americans had died from COVID as from the Korean, Vietnam, Iraq, and Afghanistan wars combined. By this past September, the number of Americans who had been lost to COVID hit 695,000—memorialized in a heart-breaking sea of small, white flags that covered our National Mall. This week-

end, the United States hit another staggering milestone—900,000 Americans dead from COVID. In Illinois, there have been 31,000 lives lost.

COVID-19 is now the third leading cause of death in the United States, behind only heart disease and cancer. At the rate we are going, experts say it is likely the United States will reach 1 million COVID deaths in just a few weeks.

What makes these numbers even more tragic is that so many of the deaths could have been prevented. COVID vaccines are safe and free and highly effective at preventing COVID hospitalization and death. Think about this: According to new data from the CDC, unvaccinated individuals are 97 times more likely to die of COVID compared to those who have been vaccinated and boosted—97 times more likely to die if you are unvaccinated.

Just last night, I watched "60 Minutes." There was a presentation by nurses in Louisville, KY, the home State of the Republican leader. They talked about the devastating toll on their emotions and even their physical bodies when it comes to the deaths that they have to witness every day. They are beaten down, these nurses. They say that some 25 percent, if I remember correctly, have already resigned and have said they can't take it anymore. And to think how many of those hospitalizations could have been avoided if vaccinations had become universal across this country as they should be.

Well, this evening, Members of Congress will gather on the steps of the Capitol for a moment of silence to remember the 900,000 souls we have lost to this virus. May their families and loved ones find peace.

We have the tools and knowledge to bring this pandemic under control if only we would use them.

#### THE ECONOMY

Mr. DURBIN. Madam President, there was another set of numbers that was released last Friday that testifies to good news, and America needs it. It testifies to the resilience of the American people and the American spirit.

Many economists had braced for a disastrous January jobs report. The most optimistic among them predicted that the U.S. economy might grow by 150,000 or maybe 250,000 jobs last month. Some warned that it could show massive job losses. Here is what we learned:

Despite the Omicron surge and the global supply chain shortages, U.S. employers added 467,000 new jobs last month—467,000. On top of that, the Bureau of Labor Statistics shows us the economy added 700,000 more jobs in November and December than we initially calculated. All told, the U.S. economy has added 6.6 million jobs in the last year—the strongest first-year job gain of any President in history.

When Joe Biden took over the office a little over a year ago, he inherited

one of the weakest and fraught economies in generations.

At the start of the pandemic, the U.S. unemployment rate spiked to 14.7 percent. Last February, the Congressional Budget Office forecasted that the United States would not see 3.9 percent unemployment for another 5 years. The unemployment rate now is actually 4 percent. America's economic recovery is breaking records. The United States was the first country in the G7 to recover all of its GDP lost by the pandemic. Average wages were up 5.7 percent last month from a year ago. The increases were not all at the top; workers in the middle and lower rungs of the economy earned more too.

I have to say, as important as that is, we all know that people working in this economy are also facing inflation and higher prices. Whether it is for gasoline or groceries, they are finding it more expensive to meet the basic necessities of life. Although this is good news, that is bad news that we have to address and should address on a bipartisan basis.

The progress that we have made was not inevitable; it was a product of good old-fashioned American ingenuity. It is also the result of bold and decisive economic decisions by the Biden administration.

The American Rescue Plan, which Congress passed without the support of a single Republican Member of Congress—all Democrats all the way—broke the grip of the pandemic on our economy. We were able to get shots in arms, help small businesses stay afloat, and rush emergency assistance to people who had lost jobs or had seen their hours cut drastically. That emergency help worked in Illinois, and it worked all over this country.

We also passed the bipartisan Infrastructure Investment and Jobs Act. Let me remind those who follow, if you are wondering about the infrastructure bill passed by the Trump administration, let me put your concern to rest. There was no bill. There was no legislation. There was no infrastructure plan despite President Trump's repeated promises to deliver one. He walked away from the table, and I was in the room when he did. He wouldn't even negotiate.

We have not fixed all of the weaknesses in our economy. The jobless rate among Black workers is still twice that of White workers. Unemployment among teens and young adults is still too high. Research from the National Women's Law Center shows that, while men have recouped all job losses since the pandemic started, there are nearly 1.1 million fewer women in the workforce. Daycare is part of that calculation, I might add. If we want to reach our full economic potential, we need to help families find affordable, quality daycare, and we have to address the issue of inflation nonstop.

## UNITED STATES INNOVATION AND COMPETITION ACT

Mr. DURBIN. Madam President, last year, for the first time in more than two decades, America's economy grew faster than China's. That is incredible. Let's keep that streak going by passing USICA, the bipartisan U.S. Innovation and Competition Act. We need to promote products made in the United States by Americans and purchased in the United States. We passed it in the Senate last June by a vote of 2 to 1. The House passed its version last Friday. Let's go to conference and get this bill into law. If we negotiate in good faith, I believe we can do that.

I want to thank Leader SCHUMER and Senator YOUNG, a Republican from Indiana, for their leadership.

This will boost competitiveness with China and help to reindustrialize America, make investments in manufacturing and research, and provide seed money to create good new jobs. Importantly, it includes \$52 billion for research and designing and manufacturing semiconductor chips—what Senator CANTWELL, chair of the Commerce Committee, calls the “oil of the 21st century.” Let's agree to make those chips here in America and not be dependent on importing them from China.

USICA also allows for new sanctions against China for human rights violations. We can stand up for American workers and American values.

I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. GRASSLEY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. DUCKWORTH). Without objection, it is so ordered.

## OFFICE OF NET ASSESSMENT

Mr. GRASSLEY. Madam President, on November 18 of last year, I came here to speak about the Office of Net Assessment. That is an office within the Pentagon. That office's purpose, under law, is to produce an annual net assessment, which is supposed to be a long-term look at our military's capability and those of our greatest adversaries. I don't think it lives up to its mission.

In 2018, according to the Director of the Office of Net Assessment, that office had not produced a net assessment since 2007. Not doing its job for those 11 years and—who knows—possibly longer calls into question whether this office should even exist. Yet a recent inspector general report states that the office “produces . . . highly classified net assessments.” I question the IG's conclusion based upon available evidence that I know about, and I will give some of that evidence.

In last year's speech here in the Senate and others that I have given over the years on this subject, I discussed my oversight of this office dating back to 2019. I also discussed my amendment to the national defense bill. That amendment would have done one very simple thing: required the Government Accountability Office to determine how much taxpayer money the Office of Net Assessment actually uses for net assessment—its purpose for existing. I want to know how much we can cut from their budget to save the taxpayers money.

Apparently, this type of pro-taxpayer legislation was too much to ask for. Accordingly, it appears that the Office of Net Assessment in the Department of Defense gets to keep operating like a Pentagon slush fund for irrelevant and political research projects.

On February 5, 2020, the Director of the Office of Net Assessment told me:

We review all deliverables to ensure they're consistent with the statement of work. We evaluate each deliverable to assess whether we should seek additional information or require a resubmission of commissioned work.

Now, I am going to return to that statement in a little bit, but I want to give you some evidence of why what he said doesn't work out in reality.

In December 2020, I asked the inspector general to take a deeper dive into the Office of Net Assessment's contracting practices. That means connecting all the dots in the contract transactions to ensure that everything matches up. The inspector general reviewed 20 contracts. On January 25 of this year, the inspector general issued its results and found these three or four points:

Office of Net Assessment acquisition personnel inappropriately performed contracting officer representative duties for 20 contracts.

Next point. Office of Net Assessment acquisition personnel and an office providing contract support did not maintain complete contract files, including preawards and contract administration documentation. That also included the failure to maintain signed contracts and modifications. Since 2019, I have repeatedly asked for a full accounting of Stefan Halper's contracts. Either they never had one or they have decided to obstruct Congress.

Next point. Office of Net Assessment acquisition personnel and an office providing contract support inappropriately approved invoices for payments totaling \$9.8 million dollars due to the lack of oversight. And that is just for the 20 contracts the inspector general sampled. So without required supporting documentation for payment, the door is, obviously, wide open to fraud, theft, and improper payments.

Next point. Without established and documented surveillance measures for Office of Net Assessment service contracts, the Office of Net Assessment may not have received all services outlined in a contractor's statement of work.

Next point—and last point. At this point, the next finding ought to be no surprise from the inspector general. The Office of Net Assessment did not administer contracts in accordance with the Federal Defense Department and Washington Headquarters Services internal regulations and policies.

Further, the audit states the “[Office of Net Assessment] acquisition personnel cannot verify whether they received services, valued at \$4.1 million, in accordance with the statement of work.”

Now, let's return back to that first quote I gave you from the Director of Net Assessment.

We review all deliverables to ensure [that] they're consistent with the statement of work. We evaluate each deliverable to assess whether we should seek additional information or require a resubmission of commissioned work.

Based upon all of the available evidence from these 20 contracts that were inspected by the inspector general—and that is not all the contracts that the office negotiated—this Director's statement is absolutely false.

So here is the bottom line: The Office of Net Assessment has no clue what they are paying for and whether they even received a complete work product. And whatever they are actually doing, it is not in compliance with Federal regulations, policy, and law.

This is a complete embarrassment and a slap in the face of American taxpayers. While the Office of Net Assessment wasted millions of dollars in taxpayer money every year, the communist Chinese Government developed hypersonic missiles that can travel the globe.

If this unit isn't doing the job that they are supposed to, to assess our national security capabilities and the capabilities of our enemies, why are we still funding it? It would be better to take the \$20 million budget and give it to our servicemembers. At least we know that those servicemembers have earned it.

A government slush fund will always be a government slush fund unless Congress, with our power of oversight and appropriations, steps up and fixes the problem. So I encourage my colleagues, especially those on the Senate Armed Services Committee, to take a stand against this blatant waste, fraud, abuse, and gross mismanagement.

#### FREE SPEECH

Mr. GRASSLEY. Madam President, on another subject, I have come to this floor several times in recent months—maybe over the course of a couple of years—on my concerns about free speech on campus. There has been a lot said in opposition to reports of crack-down on speech on campuses, but today I come to the floor to give one shining example of a university upholding expressions of free speech and making it still happen.

This all started with former University of Chicago President Robert Zim-

mer. The institution, starting with him and continuing, has consistently pushed back on the trends of safe spaces, trigger warnings, and the cancellation of invited speakers.

Instead, in a letter to all incoming freshmen, the University of Chicago lays out its philosophy in plain English. In the letter to the 2020 freshman class, it said that one of the university's “defining characteristics is our commitment to freedom of inquiry and expression.”

Now, this is more than just words; the university has consistently followed through on this policy. Even today, the university is still open to dissenting points of view. It even goes so far as to tell freshmen “at times this may challenge you and even cause discomfort.”

They are absolutely right. The point of college is not to be coddled. The point of college or university is to learn. How can students do that if they don't step out of their comfort zone?

I often say that my definition of a university is a place where controversy should run rampant. At the University of Chicago, that means noting that “diversity of opinion and background is a fundamental strength of our community.”

Both opinion and background are very important, and it defeats the point to just have the one. Our universities cannot just have just a veneer of diversity; the whole point of bringing in students of different backgrounds is to get different points of view. That aim is meaningless if all students who go to the college believe the same things.

I have introduced several bills to provide transparency for prospective students. My bills focus on transparency of cost, but in many ways openness about a university's values are just as important.

So I congratulate former President Zimmer, who is doing just that and putting his university's values on his sleeve. If some schools keep cracking down on free speech and invited speakers, then the free market will send their students elsewhere. That is because I don't think all kids want to go to a school where they will never be challenged and where their ideals will always be reaffirmed.

I am happy to see projects like the University of Austin, a newly founded college dedicated to free speech principles.

So, in conclusion, it takes time to start new institutions. Instead, we need people to stand up in the colleges that we already have. And I hope others will join me in doing just that.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. SCHUMER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### LEGISLATIVE SESSION

Mr. SCHUMER. Madam President, I move to proceed to legislative session. The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

#### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

Mr. SCHUMER. Madam President, I move to proceed to executive session to consider Calendar No. 498.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Douglas R. Bush, of Virginia, to be an Assistant Secretary of the Army.

#### CLOTURE MOTION

Mr. SCHUMER. Madam President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 498, Douglas R. Bush, of Virginia, to be an Assistant Secretary of the Army.

Charles E. Schumer, Jack Reed, Sheldon Whitehouse, Richard Blumenthal, Catherine Cortez Masto, Richard J. Durbin, Jacky Rosen, Margaret Wood Hassan, Mark Kelly, Benjamin L. Cardin, Brian Schatz, Debbie Stabenow, Angus S. King, Jr., Patrick J. Leahy, Martin Heinrich, Tim Kaine, Gary C. Peters, Chris Van Hollen.

#### LEGISLATIVE SESSION

Mr. SCHUMER. Madam President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

#### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

Mr. SCHUMER. Madam President, I move to proceed to executive session to consider Calendar No. 362.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Homer L. Wilkes, of Mississippi, to be Under Secretary of Agriculture for Natural Resources and Environment.

## CLOTURE MOTION

Mr. SCHUMER. Madam President, I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

## CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close the debate on the nomination of Executive Calendar No. 362, Homer L. Wilkes, of Mississippi, to be Under Secretary of Agriculture for Natural Resources and Environment.

Charles E. Schumer, Richard Blumenthal, Catherine Cortez Masto, Richard J. Durbin, Sheldon Whitehouse, Jacky Rosen, Margaret Wood Hassan, Mark Kelly, Benjamin L. Cardin, Brian Schatz, Debbie Stabenow, Angus S. King, Jr., Patrick J. Leahy, Martin Heinrich, Tim Kaine, Gary C. Peters, Chris Van Hollen.

Mr. SCHUMER. Madam President, I ask unanimous consent that the mandatory quorum calls for the cloture motions filed today, February 7, be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SCHUMER. I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mrs. BLACKBURN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

## OPEN APP MARKET'S ACT

Mrs. BLACKBURN. Madam President, here in the United States, the mobile app market represents a reliable multibillion-dollar payday for Big Tech. In 2020, Americans downloaded 13.4 billion apps onto their mobile devices.

Needless to say, mobile apps are a key component of our digital economy, so it may be surprising to learn that this market is largely unregulated, unless you count the influence of the two mega corporations that created it.

Apple and Google have abused their power and used their status as gatekeepers to stifle innovation and penalize developers who want to work alongside them rather than ceding control over their products. This is bad for the industry. It is bad for consumers. It is bad for the country.

These gatekeeping tendencies aren't just a bump in the road for developers; they are a roadblock that completely closes off avenues of competition. Apple, for example, forces developers to use their exorbitantly expensive App Store payment system, which funnels profits away from the creators, and it raises prices for consumers. It is a take-it-or-leave-it arrangement. Of course, when developers do take the deal, they leave their relationship with

their customers behind because the terms prohibit them from dealing directly with the people who use their products. They also have to accept that Apple and Google will not only prioritize native applications, but they will take their competitors' confidential business information and use it against them.

Last week, the Senate Judiciary Committee passed my Open App Markets Act, which is a bill we have worked some very long hours on. Finally, we are addressing the stranglehold Big Tech has on the digital app market. I really do thank Senator BLUMENTHAL and his staff, as well as our cosponsors, Senators KLOBUCHAR, RUBIO, LUMMIS, BOOKER, GRAHAM, KENNEDY, HIRONO, HAWLEY, and Chairman DURBIN, for putting in so much time and effort to create this bipartisan piece of legislation.

This bill will reset the rules of the road to protect competition and consumers by allowing consumers to access third-party apps and app stores, by prohibiting app store owners from locking developers into in-app payment arrangements, by ensuring that app developers are allowed to offer competitive pricing, and by preventing app stores from misusing confidential business information or app store rankings to disadvantage developers. If app store gatekeepers violate these rules of the road, the bill allows for developer lawsuits. It also includes safeguards to allow app stores to protect the privacy, security, and safety of consumers, as well as their own intellectual property rights.

It is bipartisan, and it is a good, solid, strong first step. But, remember, our tradition of maintaining competitive marketplaces isn't the only thing at stake here.

This weekend, the opening ceremonies of the Olympic Games in Beijing drew in 16 million viewers. That is down from the last Winter Games in 2018, so hopefully, this means that the various campaigns exposing the crimes and manipulation of the Chinese Communist Party are making a difference.

But, still, those 16 million people and their families are taking in Chinese propaganda. The Games' corporate sponsors weren't worried about that; they were happy to take advantage of all those eyeballs. And we know NBC hopes to surpass the nearly \$2 billion in revenue they pulled in during the Tokyo Games.

Protecting that competitiveness is important, but I would argue that protecting the human rights of people those sponsors and broadcasters are happy to sweep under the rug is even more important. And right at this very moment, Big Tech is facilitating crimes against humanity in China.

Beijing is notorious for censoring speech critical of the communist government, but part of their grand strategy to silence dissent involves strong-arming corporations seeking access to the very lucrative Chinese market. It

is not enough to offer an exciting product; you have to play nice with the CCP or else you are out. You can't be in their market. That means staying quiet about genocide in Xinjiang or violent repression in Hong Kong and doing everything in your power to make sure your customers stay silent too.

The Open App Markets Act has received an outpouring of support from human rights activists who see firsthand how corporate gatekeeping actively endangers the lives of dissidents, activists, Uighur Muslims, Mongols, Tibetans, Hong Kong freedom fighters, and other innocent people the CCP has chosen to brutalize. We received a letter of support for the Open App Markets Act signed by many of these individuals that I would like to share. They wrote, in part:

China suppresses nearly all dissent using its notorious "Great Firewall" internet filtering system and through the cooperation of domestic and foreign companies that are willing to block and remove accounts, content, and applications at the unchallenged request of Chinese authorities.

Few American companies are as subservient to the Chinese government as Apple. Apple willingly censors dissenting voices and independent media for all in China and Hong Kong using its control over the App Store.

We received another letter from the human rights organization GreatFire that details specific examples of Apple doing the bidding of the Chinese Communist Party. They wrote in part:

GreatFire, an organization dedicated to fighting internet censorship, started monitoring Apple's censorship in November 2013, when Apple decided to remove our "Free Weibo" application from the Chinese App Store. Apple did not even wait for the intervention of any Chinese judicial authority to determine if our app had actually broken any Chinese law. It collaborated with the Chinese authorities and dealt with our app the same way it has continued to deal with many more apps: by enforcing arbitrary and politically motivated censorship to ensure its financial interest.

I ask unanimous consent to have these two letters printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

JANUARY 31, 2022.

Senator DICK DURBIN,  
*Chairman, Committee on the Judiciary,*  
*Washington, DC.*

Senator CHUCK GRASSLEY,  
*Ranking Member, Committee on the Judiciary,*  
*Washington, DC.*

DEAR CHAIR DURBIN, RANKING MEMBER GRASSLEY, AND MEMBERS OF THE SENATE JUDICIARY COMMITTEE: We write as Chinese human rights activists, pro-democracy movements, national security experts, and members of persecuted religious communities to share our deep concerns with Apple's use of its monopolistic dominance and its collusion with the Chinese government to stifle freedom of expression in China. As the Committee considers legislation to rein in the abuses of tech firms, we encourage it to help dissenting voices and efforts to offer privacy and security tools in China through protecting the right to sideload, as included in the Open App Markets Act.



The Chinese Communist Party maintains its grip on power and its regional expansionism through operating the most sophisticated censorship and surveillance apparatus in history. China suppresses nearly all dissent using its notorious 'Great Firewall' internet filtering system and through the co-operation of domestic and foreign companies that are willing to block and remove accounts, content, and applications at the unchallenged request of Chinese authorities.

Few American companies are as subservient to the Chinese government as Apple. Apple willingly censors dissenting voices and independent media for all in China and Hong Kong using its control over App Store. As the New York Times, human rights organizations, and members of this Committee have thoroughly documented, Apple has blocked thousands of applications for iOS users in China and Hong Kong at the request of Chinese censors. Apple's decade-long track record cooperation with Chinese censorship is sweeping and stunning, including through its blocking of:

HKmap.live, a coordination tool used by protestors bravely standing up to China's attempts to destroy Hong Kong's independence and democracy;

Bible and Quranic apps, including the Olive Tree Bible study guide;

Radio Free Asia and Voice of America, Congressionally-funded independent media organizations that provides news in Chinese, Uyghur, and Tibetan languages; and,

Anti-censorship services, including apps funded by Congress, designed to bypass the Great Firewall to provide unfiltered and secure access to information, social media, and news.

While Apple claims to be a defender of human rights in the West, Apple has deliberately placed Chinese citizen's lives in the hands of the Chinese government for profit, knowing the grave consequences. As the Congressional-Executive Commission on China and others have warned, Apple hosts the private data of its Chinese users in data centers controlled by the Chinese government without the safeguards that would prevent spying, including weakening its access controls and encryption. As a result, Chinese citizens are unable to access independent news, practice their faith, or express themselves freely without real fear of the brutal repression of the state.

While our organizations have decades of expertise fight back against China's repression, Apple's complete dominance over iOS blocks us from offering tools to bypass censorship, prevent spying, and promote democracy. Our pleas and campaigns for Apple to do the right thing have been ignored by Apple's leadership. If we were allowed to provide apps outside of the censored App Store, also known as sideloading, we would be able finally offer Chinese communities with tools to defeat the Great Firewall, such as Ultrasurf, Psiphon, and FreeGate. The Open App Markets Act's protections for sideloading would help us open up the world to hundreds of millions more Chinese people living under repression aided by Apple.

As the Senate Judiciary Committee considers the Open App Markets Act, we encourage it stand firm on behalf of freedom of expression and human rights in China through protecting our right to offer a lifeline to dissidents, religious communities, and all those banned by the Chinese Communist Party.

Sincerely,

Organizations: Uyghur Human Rights Project; China Change; Citizen Power Initiatives for China; The Hong Kong Watch; Regional Tibetan Association of Massachusetts; Tibetan Association of Indiana; Atlanta Tibetan Association; Boston Tibetan Association; Tibetan Association of Vermont; Ti-

betan Association of Idaho; Tibetan Association of Ithaca; Tibetan Community of New York and New Jersey; Sound of Hope Radio Network; Dialogue China; Democratic Party of China.

Individuals: Jianli Yang, Founder and President of Citizen Power Initiatives for China & Tiananmen Survivor and former political prisoner of China; Cai Xia, Editor-in-Chief of Yibao, Former Professor of the CCP Central Party School; Nanyang Li, Visiting Fellow at Hoovers Institutes, leading Chinese human rights activist, daughter of Li Rui, a former secretary of Mao Zedong; Calvin Yu, Chinese civil society organizer, philanthropist; Deyu Wang, Persecuted Chinese Christian; Daniel Gong, Human rights activist; Lydia Li, Independent scholar and human rights activist; Liang Wang, Chinese artist and human rights activist; Ming Wu, Human rights activist, Member of the Chinese New Citizens' Movement; Davis Zeng, Analyst, CitiBank, human rights activist; Shan Jiang, Member of the Chinese New Citizens' Movement, human rights activist; Shengchun Luo, Wife of the detained Chinese New Citizens' Movement leader Ding Jiaxi; Pinghui Wu, Chinese human rights activist.

Ni Wang, Chinese human rights activist; Wayne Hong, Concert Manager, Chinese human rights activist; Qi Xue, Independent scholar, Chinese human rights activist; Jeanette Tong, Chinese human rights activist; Hai Lin, Medical scientist, Chinese human rights activist; Anna Chen, Victim of Chinese religious persecution, Chinese human rights activist; Amy Ma, Chinese Muslim activist; Shaoping Wu, Human rights lawyer; Matt Trueman, Activist; Amir George, Pastor; Mike Mo (Hong Kong), Former District Legislator of Hong Kong, Hong Kong student leader; Joey Siu (Hong Kong), Director, the Hong Kong Watch, Hong Kong student leader; Yu Hsin (Hong Kong), Hong Kong journalist.

Harry Fu, Chinese human rights activist; Rui Liu, Chinese human rights activist; Wenwen Song, Chinese human rights activist; Senfen Wei, Chinese human rights activist; Liping Huang, Director of Citizen Power Initiatives for China; Hong Zhou, Chinese human rights activist; Jia He, Chinese human rights activist; Rory O'Connor, Founder of Athenai Institute; John Metz, Director of Athenai Institute; Jing Zhang, Chinese human rights activist; Sufi Laghari, Executive Director at Sindhi Foundation; Lianchao Han, Expert on Chinese Internet censorship and surveillance.

GREATFIRE,  
January 28, 2022.

Subject: Censorship by Apple.

DEAR CHAIR DURBIN, RANKING MEMBER GRASSLEY, AND MEMBERS OF THE SENATE JUDICIARY COMMITTEE: As the Committee considers legislation to address the power of Big Tech, we write to share our research and longstanding concerns regarding Apple's censorship on behalf of the People's Republic of China and other repressive regimes.

GreatFire, an organization dedicated to fighting internet censorship, started monitoring Apple's censorship in November 2013, when Apple decided to remove our "FreeWeibo" application from the Chinese App Store. Apple did not even wait for the intervention of any Chinese judicial authority to determine if our app had actually broken any Chinese law. It collaborated with the Chinese authorities and dealt with our app the same way it has continued to deal with many more apps: by enforcing arbitrary and politically motivated censorship to ensure its financial interests.

In 2019, we launched AppleCensorship.com, a website monitoring Apple's removal of

apps on its App Stores around the world. Over the last three years, we have uncovered numerous cases of app removals, particularly in China, where Apple collaborates with the Chinese authorities by enforcing arbitrary and politically motivated censorship to protect its financial interests.

Our research has produced the following key findings:

Apple proactively removes apps that allow Chinese citizens to circumvent censorship, all without the need for the authorities to intervene. None of the top 100 "virtual private network services" (VPNs) in the United States App Store are available in China.

In October 2019, during the Hong Kong protests violently suppressed by the police, Apple removed HKmap.live, an app used by protesters to report aggressive police movements and the use of tear gas.

AppleCensorship.com counts 191 "News" apps currently unavailable in China's App Store. The New York Times app was removed in January 2017. Quartz was removed during the Hong Kong protests in 2019.

More than 26% of all apps tested were found to be unavailable in China, when the average for other countries is around 11% and when less than 5% of all apps that we tested in the U.S. App Store were unavailable.

A study that we conducted with Tibetan human rights groups and released in June 2019 revealed that at least 29 Tibetan-themed apps dealing with news, religious study, tourism and even games are being censored by Apple.

In September 2021, we detected the removal of Bible and Quran apps in China.

In June 2020, Apple removed two podcast apps, Pocket Casts and Castro, after the developers refused to censor content on their platforms.

Two RSS reader apps, Reeder and Fiery Feeds, were removed in September 2020 for content deemed "illegal in China".

Apple's censorship is not limited to China and affects all countries where Apple operates:

In November 2021, Apple's removed the "Smart Voting" app developed by the team associated with Russian political opposition leader Alexei Navalny. The app, which informed its users about candidates for the Parliamentary elections and their political affiliation, was removed just as polls opened. Apple went further by contacting private messaging app Telegram to request the removal of content (i.e. a chat bot) related to Navalny's campaign. Telegram published a statement condemning the move but stating it had to comply with Apple in order to avoid being removed from the App Store.

In June 2021, our research on LGBTQ+ related apps revealed that, out of approximately 150 LGBTQ+ apps identified, 61 apps were partially unavailable. China came second in terms of unavailability, with 27 LGBTQ+ apps unavailable in the country, just behind Saudi Arabia (28 apps unavailable) and before United Arab Emirates (25 apps unavailable). In total, 1377 instances of LGBTQ+ app's unavailability were found in 152 countries (only Australia's, Canada's and US' App Store contained all the tested apps).

In addition to targeted removal, that is to say removals of apps in the App Store of the requesting country, which result from alleged "legal violations", Apple also responds to governments' requests made on the basis of alleged violations of Apple's own "Platform Policy". Such takedown requests, mostly originating from authoritarian regimes like China and Russia, led to approximately 30,000 removals in 175 countries between January 2019 and December 2020.

The list of compromises by Apple over the last five years is not limited to censorship on



the App Store. For example, Apple's own podcasting app remains available in China, as Apple proactively removes "sensitive" podcasts. Although there are too many compromises that threaten human rights to be fully listed here, in 2021 only, Apple:

facilitated access by the Chinese authorities to iCloud data for Chinese users;

decided not to release its new "Private Relay" feature in China and other countries; and

censored Chinese consumers by preventing them from engraving "sensitive" content on their Apple products (iPads or Airtags).

Apple discloses almost no information on app removals, hiding the full scope of compliance with Chinese censorship. In some cases, apps' developers or publishers were not aware of their app's unavailability until we contacted them. In October, 2017, Senators Cruz and Leahy wrote to Apple asking questions about censorship in its China App Store. In Apple's response, the company admitted to having removed 674 VPNs from the China App Store at the request of the Chinese government. These VPNs would have allowed Chinese citizens to skirt censorship restrictions.

Apple was widely condemned after this revelation—yet five years later Apple has only increased its censorship efforts in China and has continued to proactively work to restrict freedom of expression for its Chinese customers.

Apple has even hosted apps on its App Store run by a China Paramilitary Group (the Xinjiang Production and Construction Corps) accused of participating in forced labor of Uyghurs and under U.S. Magnitsky sanctions.

Apple's so-called Transparency Reports do not reveal which apps have been censored, and remain questionably vague on the reasons, legal or not, behind this censorship.

The resulting opacity has become Apple's true trademark: from how it curates content on the App Store; to how it implements its arbitrary "App Store Guidelines"; to what data it communicates to governments; to the deals the company makes with even the most repressive regimes in the world. Apple conceals almost everything about its operations.

Apple's record-high financial results are the result of a strategy that has relied significantly on Apple's alliance with the Chinese authoritarian government. This alliance comes with a cost. In order to do business in China, Apple has abandoned its values, ethical standards, and principles. Apple has actively worked to suppress the rights and freedoms of their customers, even when the company was not pressured to do so by Beijing. We believe that the time is overdue for Apple to put a halt to such unethical and immoral behavior.

We remain at your disposal should you have any additional questions.

With warmest regards,

BENJAMIN ISMAIL,  
Project Director,  
AppleCensorship-  
ip.com.

CHARLIE SMITH,  
Co-Founder,  
GreatFire.org.

Mrs. BLACKBURN. It makes no sense to make a name for yourself creating secure devices for Western users but to then turn around and go out of your way to make the devices in the hands of the world's most vulnerable people less secure.

The time has come for us as a country to decide what matters more: preserving this toxic entanglement with

China or preserving life and liberty and the democratic ideals that make us so fortunate to begin with.

I ask my colleagues to consider joining me and Senator BLUMENTHAL in support of the Open App Markets Act to protect competition, to protect consumers, and to protect those basic human rights that the world's most powerful corporations have decided should take a backseat to access and profit.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

60TH ANNIVERSARY OF THE EMBARGO AGAINST CUBA

Mr. LEAHY. Madam President, today, February 7th, 2022, marks the 60th anniversary of the day the U.S. economic embargo against Cuba first went into effect. Just think of that—60 years. It is three generations, 12 Presidents, 60 sessions of Congress, six transformational decades ago, and dating all the way back to the middle of the Cold War.

The goal of the embargo, which has been expanded multiple times, was unmistakable. It was to depose the Cuban Government by imposing a vast web of punitive sanctions designed to crush the Cuban economy and incite a popular uprising. In fact, to be precise, in a declassified April 1960 State Department memo confidently entitled "The Decline and Fall of Castro," they said the purpose was "denying money and supplies to Cuba, to decrease monetary and real wages, to bring about hunger, desperation, and the overthrow of [the] government." What a remarkable, humanitarian attitude on the part of people who had absolutely no idea of what history is or what might happen.

Sixty years later, hunger and desperation are pervasive in Cuba, but the Cuban Government remains under the firm grip of the Communist Party. No opposition party has been allowed to function or to challenge it. Free and fair elections are as elusive as they were 60 years ago. Political dissent is not tolerated.

But the U.S. embargo, which we proudly and consistently have kept, is opposed by every other nation in this hemisphere. In fact, it is opposed by every other nation in the world except Israel. In other words, after 60 years, we have convinced only one other government—just one—to join us and not a single government in our own hemisphere. This failed attempt to isolate Cuba succeeded only in isolating ourselves.

Those responsible for this administration's policy toward Cuba have apparently decided that, despite Candidate Biden's pledge to the contrary; despite the failure of the embargo to achieve any of its objectives, which the CIA acknowledged in a declassified report back in 1982; despite a worsening human rights situation; and despite contributing to the misery of the Cuban people, whom the White House insists it wants to help, there is no reason to change course.

Today, hard hit by COVID and the administration's cutoff of remittances and restrictions on travel by Americans to Cuba, life for most Cubans is an increasingly desperate struggle. Popular protests against the government's mishandling of the pandemic, mishandling of the economy, and autocratic rule have been met with a fierce crackdown, summary trials, and lengthy prison sentences, including for young people.

I have spoken many times about the stark disconnect between the administration's policy toward Cuba and the reality in Cuba, so I am not going to repeat what I said before. I am as outraged by the crackdown on protesters in Cuba as anyone. Unlike many others, I have actually said that to Cuban authorities. No one condones acts of vandalism or violence, but provocations and abuse of peaceful protesters are inexcusable.

I also know that trying to bludgeon the Cuban authorities into submission does not work. What is the proof of that? We tried it for 60 years, and it hasn't worked. It has only made things worse. It emboldens the hardliners in the government who can then blame the United States for their own failed policies.

They are determined to hold on to power, and if they fail at something, they just blame it on the United States.

But it hurts the Cuban people, impeding their ability to obtain medical supplies as basic as syringes and masks to fight COVID and preventing small businesses from accessing U.S. products.

I visited a lot of those small businesses. They actually want to deal with America, and we are cutting them off. It flies in the face of our belief in the power of diplomacy through engagement with countries whose governments we disagree with, especially a country 90 miles away whose people we share so much in common with.

Sooner or later—and I hope it is sooner—the administration needs to face the fact that continuing Donald Trump's policy of punitive sanctions and vitriol has backfired. The longer they delay that day of reckoning, the worse it will be. And we can do better than this. We can defend human rights, as we should. We can stand up for the right of people to choose their leaders in free and fair elections, as we should. We could also do what we do with virtually every other government in the world with which we disagree: find areas of common purpose for the benefit of the people in both countries.

So on this 60th anniversary of a Cold War policy of sanctions and isolation that has failed in every conceivable way, let's dedicate ourselves to a new way forward that our allies and partners in this hemisphere will support, that the American people support, that supports the Cuban people, and most importantly, that we can show the rest of the world it is worthy of the United States, worthy of us. What we are

doing right now is not. We can do better. We must do better.

I think of so many young people I have talked to and met in Cuba who want a different world and can't understand why the United States slams the door on them. We can do better. We have to do better. I pray we will do better.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON. Madam President, I ask unanimous consent that the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

### EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the following nomination, which the clerk will report.

The legislative clerk read the nomination Ebony M. Scott, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years.

#### VOTE ON SCOTT NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Scott nomination?

Mr. JOHNSON. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN), the Senator from New Mexico (Mr. HEINRICH), the Senator from New Mexico (Mr. LUJÁN), and the Senator from Georgia (Mr. OSSOFF) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Wyoming (Mr. BARRASSO), the Senator from South Dakota (Mr. ROUNDS), and the Senator from Pennsylvania (Mr. TOOMEY).

The result was announced—yeas 55, nays 38, as follows:

[Rollcall Vote No. 36 Ex.]

#### YEAS—55

Baldwin	Hickenlooper	Romney
Bennet	Hirono	Rosen
Blumenthal	Kaine	Sanders
Blunt	Kelly	Schatz
Booker	King	Schumer
Brown	Klobuchar	Shaheen
Cantwell	Leahy	Sinema
Capito	Manchin	Smith
Cardin	Markey	Stabenow
Carper	McConnell	Tester
Casey	Menendez	Tillis
Collins	Merkley	Van Hollen
Coons	Murkowski	Warner
Cortez Masto	Murphy	Warnock
Duckworth	Murray	Warren
Durbin	Padilla	Whitehouse
Gillibrand	Peters	Wyden
Graham	Portman	
Hassan	Reed	

#### NAYS—38

Blackburn	Grassley	Paul
Boozman	Hagerty	Risch
Braun	Hawley	Rubio
Burr	Hoeven	Sasse
Cassidy	Hyde-Smith	Scott (FL)
Cornyn	Inhofe	Scott (SC)
Cotton	Johnson	Shelby
Cramer	Kennedy	Sullivan
Crapo	Lankford	Thune
Cruz	Lee	Tuberville
Daines	Lummis	Wicker
Ernst	Marshall	Young
Fischer	Moran	

#### NOT VOTING—7

Barrasso	Luján	Toomey
Feinstein	Ossoff	
Heinrich	Rounds	

The nomination was confirmed.

The PRESIDING OFFICER (Mr. KING). Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

### EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the following nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of Donald Walker Tunnage, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for a term of fifteen years.

#### VOTE ON TUNNAGE NOMINATION

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Tunnage nomination?

Mr. WYDEN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN), the Senators from New Mexico (Mr. HEINRICH) and (Mr. LUJÁN), and the Senator from Georgia (Mr. OSSOFF) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Wyoming (Mr. BARRASSO), the Senator from South Dakota (Mr. ROUNDS), and the Senator from Pennsylvania (Mr. TOOMEY).

The result was announced—yeas 54, nays 39, as follows:

[Rollcall Vote No. 37 Ex.]

#### YEAS—54

Baldwin	Duckworth	Menendez
Bennet	Durbin	Merkley
Blumenthal	Gillibrand	Murkowski
Blunt	Graham	Murphy
Booker	Hassan	Murray
Brown	Hickenlooper	Padilla
Cantwell	Hirono	Peters
Capito	Kaine	Portman
Cardin	Kelly	Reed
Carper	King	Romney
Casey	Klobuchar	Rosen
Collins	Leahy	Sanders
Coons	Manchin	Schatz
Cortez Masto	Markey	Schumer

Shaheen	Tester	Warnock
Sinema	Tillis	Warren
Smith	Van Hollen	Whitehouse
Stabenow	Warner	Wyden

#### NAYS—39

Blackburn	Grassley	Moran
Boozman	Hagerty	Paul
Braun	Hawley	Risch
Burr	Hoeven	Rubio
Cassidy	Hyde-Smith	Sasse
Cornyn	Inhofe	Scott (FL)
Cotton	Johnson	Scott (SC)
Cramer	Kennedy	Shelby
Crapo	Lankford	Sullivan
Cruz	Lee	Thune
Daines	Lummis	Tuberville
Ernst	Marshall	Wicker
Fischer	McConnell	Young

#### NOT VOTING—7

Barrasso	Luján	Toomey
Feinstein	Ossoff	
Heinrich	Rounds	

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

The Senator from Minnesota.

### EXECUTIVE CALENDAR

Ms. SMITH. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the following nominations en bloc: Calendar Nos. 721 and 722; that the Senate vote on the nominations en bloc without intervening action or debate; that the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that any statements related to the nominations be printed in the RECORD; and that the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is, Will the Senate advise and consent to the nominations of Sharon Bradford Franklin, of Maryland, to be Chairman and Member of the Privacy and Civil Liberties Oversight Board for the remainder of the term expiring January 29, 2024; and Beth Ann Williams, of New Jersey, to be a Member of the Privacy and Civil Liberties Oversight Board for a term expiring January 29, 2026?

The nominations were confirmed en bloc.

### EXECUTIVE CALENDAR

Ms. SMITH. Mr. President, I ask unanimous consent that the Senate proceed to the following nomination: Calendar No. 648, Alice P. Albright, of the District of Columbia, to be Chief Executive Officer, Millennium Challenge Corporation; that the Senate vote on the nomination without any intervening action or debate; that the motion to reconsider be considered made and laid upon the table with no intervening action or debate; that any statements related to the nomination be printed in the RECORD; and that the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Alice P. Albright, of the District of Columbia, to be Chief Executive Officer, Millennium Challenge Corporation.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Albright nomination?

The nomination was confirmed.

## LEGISLATIVE SESSION

### MORNING BUSINESS

Ms. SMITH. Mr. President, I ask unanimous consent that the Senate proceed to Legislative Session for a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

### TRIBUTE TO SECRETARY OF THE SENATE SONCERIA ANN BERRY

Mr. LEAHY. Mr. President, serving in the U.S. Senate for as long as I have, I have seen dedicated, talented staffers come and go from my team. Some come to my office fresh out of college, spend some time, and move on to other opportunities or to further their education. Some have come to stay for years. And others join my team, already seasoned veterans of the Senate—and leave for higher office.

So is the story of my dear friend, Sonceria Ann Berry, the 34th Secretary of the Senate, and my former deputy chief of staff. It was with great pride when, on March 1, 2021, I administered the oath to Ann as she became our own Madam Secretary. And it should come as no surprise that Ann brought to the esteemed position decades of experience in the Senate. A seasoned professional who has seen changes in leadership through the Congresses, Ann has counseled and mentored, quite literally, hundreds of staffers young and old. Her appointment as the Secretary of Senate was a source of great pride for me, and I am sure the other Members for whom she worked, including Senator CARPER and former Senator John Edwards, as well as the late Senators Daniel Patrick Moynihan and Howell Heflin, share that pride.

Secretary Berry is a 1978 graduate of the University of North Alabama, where she earned her bachelor degree in education. She recently returned to the University of North Alabama to de-

liver the fall commencement address. I found her words inspiring to the new graduates she addressed and instructional for those embarking in post-graduate life.

I would like to ask unanimous consent that Secretary Berry's commencement remarks be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

COMMENCEMENT ADDRESS—SONCERIA ANN BERRY, SECRETARY OF THE SENATE

FALL 2021 COMMENCEMENT, UNIVERSITY OF NORTH ALABAMA

Thank you for that wonderful introduction, and let me begin by congratulating the Class of 2021 for sticking with it, overcoming unprecedented challenges, and graduating with a well-earned degree in resilience, in addition to what you majored in.

College graduation is always a remarkable achievement, but nobody has ever been through what you've been through to get here, and you can wear this experience and this hard-won success like a badge of honor for the rest of your life.

Congratulations also to your families and friends who have helped you get to this day.

They are heroes, just like you, and they have made their own sacrifices to support your ambitions. And I think they deserve their own round of applause.

I graduated from the University of North Alabama, with a degree in secondary education, in 1978.

As it happened, I didn't spend a minute of my career in secondary education.

Life had other things in store for me, and because of those completely unexpected things, earlier this year, this fine university honored me with its Lifetime Achievement Award.

They said it was because I was the first African American ever to serve as Secretary of the Senate—the chief administrative, legislative and financial officer of the world's greatest deliberative body.

Or they may have just been looking for someone who graduated a really long time ago.

Either way, it was very special to me, because it was this university that set me on a path of life I would never have dreamed of before coming here.

Before UNA, my ambition was to get a good office job.

I was a pretty good typist and I was hoping for a career in an office as a secretary.

I was poor. I wanted to work and make money and have some security for myself and my family.

But after high school, I found work at the Home Insurance Company in Homewood, Alabama.

They call it a "gap year" now when you take a year between high school and college to figure yourself out.

But, for me, it wasn't anything so fancy. It was a year of making a living.

But it was also when I first learned about the University of North Alabama.

And the more I learned about it, the better I knew that it was the place for me.

UNA was not only the State's oldest public university, with a heritage of training some of Alabama's finest teachers.

In an era when it was still quite unusual for women to go to college, UNA had already opened its doors to women for a hundred years.

And this year, UNA proudly celebrates its 150th anniversary of co-education with the Year of the UNA Woman.

I was also impressed by the academic rigor built into the tradition of UNA.

In its days as Florence Wesleyan University, prospective students had to demonstrate an ability to translate four books of Caesar's Gallic Wars from the original Latin, and six books of Virgil from the original Greek, into English.

I think all of us feel fortunate that those particular skills are no longer required for admission to the University of North Alabama.

I know I did, and yet I quickly discovered that this university's academic standards remained commendably high, and so were its standards of conduct and ethics.

It was also a community, where people cared about each other, helped each other, encouraged each other, nurtured each other.

The course of my life was changed in just this way.

After graduation, when I couldn't find work as a teacher, I took a job as a secretary in the engineering department of South Central Bell.

But a year later, in 1979, I was contacted by the office of Alabama's newly-elected United States Senator Howell Heflin about a position in the Senator's Washington office.

I didn't know Senator Heflin, or how his office had found me.

But I learned later that Dr. Robert Guillot, the president of UNA for whom I had served as a student aide in the Admissions Office, had recommended me to the Senator.

And I was off to Washington, DC—a city I had never seen—for what Dr. Guillot correctly called "the opportunity of a lifetime."

That was forty-two years ago, and in the decades since, I have been proud to work not only for Senator Heflin but later for five other United States Senators in positions of increasing responsibility.

I was thinking seriously of retiring earlier this year when I was offered the position of Secretary of the Senate—a position for which I was nominated by the Majority Leader, Chuck Schumer of New York, and to which I was elected by the full membership of the United States Senate.

Today I manage the Senate as an institution, supervising 26 departments, nearly 240 employees and a \$25 million budget.

My team and I are responsible for everything from recording each day's Senate debates to running the Senate gift shop.

The Parliamentarian of the Senate, the Senate Historian, the office of inter-parliamentary services, and the people who pay 100 Senators and thousands of staff people report to me.

And I am proud to be the first African American, and the eighth woman,

in the 232-year history of the Senate to hold this office.

But what I found most compelling about being called to this assignment was another historic opportunity that had nothing to do with being Black or being a woman or being a pioneer of any kind.

It was the opportunity to support, lead and nurture a remarkable group of people who protected our democracy during the January 6 attack on the United States Capitol.

When the rioters tried to disrupt the ratification of Electoral College ballots, the people I work with secured those ballots until the crisis had passed.

When the rioters roamed through the Capitol building threatening harm to anyone they encountered, the people I work with barricaded themselves in their offices and kept working.

When the rioters put democracy itself in danger on that infamous day, the people I work with waited them out and certified the same peaceful transfer of power that has been the hallmark of our government for more than two hundred years.

The people I work with are the ultimate public servants.

They are the unsung heroes of our Republic, drawn not to fame and glory but to the quiet, professional, essential mission of supporting our institutions of government—on good days and really bad days alike.

And being their leader—not the fancy title, or the big office in the Capitol building, or the pioneering path I took—is the greatest honor of my life.

I would never have dreamed, when I was a student here, that my life's journey would lead me to this calling.

The fact that it came after four decades on Capitol Hill, when retirement was beckoning me, only makes it more remarkable, more deeply personal and satisfying.

As you sit here, contemplating your own futures, I would simply encourage you to focus not so much on a specific destination as on the journey itself.

I didn't become an educator, though that was the dream of my youth.

I did things I never dared to dream. I saved the best for last.

And I have learned that the journey—with all its twists and turns, peaks and valleys, sunshine and shadow—is what life is really about.

The journey is the choices you make, large and small. So make good ones.

It's the people you encounter, famous and familiar, heroes and villains alike. So be kind to people, and be the kind of person you want others to be.

It's the preparations you make, not least those you have made these past four years right here at the University of North Alabama.

It's the risks you take, like leaving the security of my family for an adventure in the nation's capital.

And it's the understanding you gain, slowly over the years, of what's important and what's not, what's lasting and what's fleeting, who you are and what you're supposed to do in your time on earth.

Philosophers tell us that "life must be lived forwards, but can only be understood backwards."

That's exactly the way I look at my life now and understand my purpose, improbable as it was when I sat where you sit so many years ago.

As you begin your own adventure in the wide world, I urge you to heed these simple, but profound, words of Ernest Hemingway:

"It is good to have an end to journey to; but it is the journey that matters, in the end."

Congratulations, good luck, and enjoy your journey.

#### ARMS SALES NOTIFICATION

Mr. MENENDEZ. Mr. President, section 36(b) of the Arms Export Control Act requires that Congress receive prior notification of certain proposed arms sales as defined by that statute. Upon such notification, the Congress has 30 calendar days during which the sale may be reviewed. The provision stipulates that, in the Senate, the notification of proposed sales shall be sent to the chairman of the Senate Foreign Relations Committee.

In keeping with the committee's intention to see that relevant information is available to the full Senate, I ask unanimous consent to have printed in the RECORD the notifications which have been received. If the cover letter references a classified annex, then such annex is available to all Senators in the office of the Foreign Relations Committee, room SD-423.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DEFENSE SECURITY  
COOPERATION AGENCY,  
Arlington, VA.

Hon. ROBERT MENENDEZ,  
Chairman, Committee on Foreign Relations,  
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 22-06, concerning the Air Force's proposed Letter(s) of Offer and Acceptance to the Government of Jordan for defense articles and services estimated to cost \$4.21 billion. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

JAMES A. HURSCHE,  
Director.

Enclosures.

TRANSMITTAL NO. 22-06

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser: Government of Jordan.

(ii) Total Estimated Value:

Major Defense Equipment\* \$2.39 billion.

Other \$1.82 billion.

Total \$4.21 billion.

Funding Source: Foreign Military Financing (FMF)

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

Major Defense Equipment (MDE):

Twelve (12) F-16 C Block 70 Aircraft

Four (4) F-16 D Block 70 Aircraft

Twenty-one (21) F100-GE-129D Engines or F100-PW229EEP Engines (16 installed, 5 spares)

Twenty-one (21) Improved Programmable Display Generators (iPDG) (16 installed, 5 spares)

Twenty-one (21) AN/APG-83 Active Electronically Scanned Array (AESA) Scalable

Agile Beam Radars (SABR) (16 installed, 5 spares)

Twenty-one (21) Modular Mission Computers (MMC) 7000AH (16 installed, 5 spares)

Twenty-seven (27) LN-260 (or equivalent) Embedded Global Positioning System (GPS) Inertial Navigation Systems (INS) (EGI) with Selective Availability Anti-Spoofing Module (SAASM) and Precise Positioning Service (PPS) (16 installed, 11 spares)

Six (6) AN/AAQ-33 Sniper Advanced Targeting Pods

(ATP) Thirty-one (31) Link 16 Low-Volume Terminals (for aircraft and ground stations) (26 installed, 5 spares)

Seventy-two (72) LAU-129 Launchers (64 installed, 8 spares)

Twenty-one (21) M61A1 Vulcan Cannons (16 installed, 5 spares)

Four Hundred Two (402) FMU-139 or FMU-152 Joint Programmable Fuzes

One Hundred (100) KMU-556 Joint Direct Attack Munition (JDAM) Tail Kits for 2,000LB GBU-31

One Hundred Two (102) KMU-572 JDAM Tail Kits for 500LB Laser JDAM GBU-54

One Hundred (100) MAU-209 Computer Control Group (CCG) for Paveway II (PWII) GBU-10

One Hundred Two (102) MXU-651 Air Foil Group (AFG) for 2,000LB PWII GBU-10

One Hundred (100) MAU-210 Enhanced Computer Control Group (ECCG) for 500LB Enhanced Paveway II (EP II) EGBU-49

One Hundred Three (103) MXU-650 Air Foil Group (AFG) for 500LB EP II EGBU-49

Two Hundred (200) MK-84 or BLU-117 (or equivalent) Bomb Bodies

Two Hundred Four (204) MK-82 or BLU-111 (or equivalent) Bomb Bodies

Six (6) MK-82 Inert Bombs

Two (2) MAU-169 Computer Control Group (CCG) Trainers

Non-MDE:

Also included are AN/ARC-238 radios; AN/APX-126 or equivalent Advanced Identification Friend or Foes (AIFF) with Combined Interrogator Transponder (CIT); Joint Helmet Mounted Cueing System II (JHMCS II) or Scorpion Hybrid Optical-based Inertial Tracker (HOblT) helmet mounted displays; AN/ALQ-254 Viper Shield or equivalent Integrated Electronic Warfare (EW) systems; AN/ALE-47 Countermeasure Dispenser Systems (CMDS); KY-58M Cryptographic Devices; KIV-78 Cryptographic Devices; Simple Key Loaders (SKLs); Joint Mission Planning System (JMPS) or equivalent; PGU-28 High Explosive Incendiary (HEI) ammunition; PGU-27 training ammunition (non-HEI); ARD-446 impulse cartridges; ARD-863 impulse cartridges; BBU-36 impulse cartridges; BBU-35 impulse cartridges; MK-124 smoke flares; MJU-7/B flare cartridges L463 or MJU-53 or equivalent; Common Munitions Built-in-Test (BIT) Reprogramming Equipment (CMBRE); ADU-891 adapters for CMBRE; DSU-38 laser sensors for Laser JDAM GBU-54; Cartridge Actuated Device/Propellant Actuated Devices (CAD/PAD); BRU-57 bomb racks; MAU-12 bomb racks and TER-9A triple ejection racks; other chaff and flare, ammunition, and pylons; launcher adaptors and weapons interfaces; fuel tanks and attached hardware; travel pods; aircraft and weapons integration, test, and support equipment; electronic warfare database and mission data file

development; precision measurement and calibration laboratory equipment; secure communications; cryptographic equipment; precision navigation equipment; aircraft and personnel support and test equipment; spare and repair parts; repair and return services; maps, publications, and technical documentation; studies and surveys; classified/unclassified software and software support; personnel training and training equipment; facilities and facility management, design and/or construction services; U.S. Government and contractor engineering, technical and logistics support services; and other related elements of logistical and program support.

(iv) Military Department: Air Force (JO-D-SAC), Navy (JO-P-LCB)

(v) Prior Related Cases, if any: None.

(vi) Sales Commission, Fee, etc.: Paid, Offered, or Agreed to be Paid: None.

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: See Attached Annex.

(viii) Date Report Delivered to Congress: February 3, 2022.

\*As defined in Section 47(6) of the Arms Export Control Act.

#### POLICY JUSTIFICATION

##### Jordan—F-16 C/D Block 70 Aircraft

The Government of Jordan has requested to buy twelve (12) F-16 C Block 70 aircraft; four (4) F-16 D Block 70 aircraft; twenty-one (21) F100-GE-1290 engines or F100-PW229EEP engines (16 installed, 5 spares); twenty-one (21) Improved Programmable Display Generators (iPDG) (16 installed, 5 spares); twenty-one (21) AN/APG-83 Active Electronically Scanned Array (AESA) Scalable Agile Beam Radars (SABR) (16 installed, 5 spares); twenty-one (21) Modular Mission Computers (MMC) 7000AH (16 installed, 5 spares); twenty-seven (27) LN-260 (or equivalent) Embedded Global Positioning System (OPS) Inertial Navigation Systems (INS) (EGI) with Selective Availability Anti-Spoofing Module (SAASM) and Precise Positioning Service (PPS) (16 installed, 11 spares); six (6) AN/AAQ-33 Sniper Advanced Targeting Pods (ATP); thirty-one (31) Link 16 Low-Volume Terminals (for aircraft and ground stations) (26 installed, 5 spares); seventy-two (72) LAU-129 launchers (64 installed, 8 spares); twenty-one (21) M61A1 Vulcan cannons (16 installed, 5 spares); four hundred two (402) FMU-139 or FMU-152 Joint Programmable fuzes; one hundred (100) KMU-556 Joint Direct Attack Munition (JDAM) tail kits for 2,000LB GBU-31; one hundred two (102) KMU-572 JDAM tail kits for 500LB Laser JDAM GBU-54; one hundred (100) MAU-209 Computer Control Group (CCG) for Paveway II (PWU) GBU-10; one hundred two (102) MXU-651 Air Foil Group (AFG) for 2,000LB PWII GBU-10; one hundred (100) MAU-210 Enhanced Computer Control Group (ECCG) for 500LB Enhanced Paveway II (EP II) EGBU-49; one hundred three (103) MXU-650 Air Foil Group (AFG) for 500LB EP II EGBU-49; two hundred (200) MK-84 or BLU-117 (or equivalent) bomb bodies; two hundred four (204) MK-82 or BLU-111 (or equivalent) bomb bodies; six (6) MK-82 inert bombs; and two (2) MAU-169 Computer Control Group (CCG) trainers. Also included are AN/ARC-238 radios; AN/APX-126 or equivalent Advanced Identification Friend or Foes (AIFF) with Combined Interrogator Transponder (CIT); Joint Helmet Mounted Cueing System II (JHMCS II) or Scorpion Hybrid Optical-based Inertial Tracker (HOBIT) helmet mounted displays; AN/ALQ-254 Viper Shield or equivalent Integrated Electronic Warfare (EW) systems; AN/ALE-47 Countermeasure Dispenser Systems (CMOS); KY-58M Cryptographic Devices; KIV-78 Cryptographic Devices; Simple Key Loaders (SKLs); Joint Mission Planning

System (JMPS) or equivalent; PGU-28 High Explosive Incendiary (HEI) ammunition; PGU-27 training ammunition (non-HEI); ARD-446 impulse cartridges; ARD-863 impulse cartridges; BBU-36 impulse cartridges; BBU-35 impulse cartridges; MK-124 smoke flares; MJU-7/B flare cartridges L463 or MJU-53 or equivalent; Common Munitions Built-in-Test (BIT) Reprogramming Equipment (CMBRE); ADU-891 adapters for CMBRE; DSU-38 laser sensors for Laser JDAM GBU-54; Cartridge Actuated Device/Propellant Actuated Devices (CAD/PAD); BRU-57 bomb racks; MAU-12 bomb racks and TER-9A triple ejection racks; other chaff and flare, ammunition, and pylons; launcher adaptors and weapons interfaces; fuel tanks and attached hardware; travel pods; aircraft and weapons integration, test, and support equipment; electronic warfare database and mission data file development; precision measurement and calibration laboratory equipment; secure communications; cryptographic equipment; precision navigation equipment; aircraft and personnel support and test equipment; spare and repair parts; repair and return services; maps, publications, and technical documentation; studies and surveys; classified/unclassified software and software support; personnel training and training equipment; facilities and facility management, design and/or construction services; U.S. Government and contractor engineering, technical and logistics support services; and other related elements of logistical and program support. The estimated total cost is \$4.21 billion.

This proposed sale will support the foreign policy and national security objectives of the United States by helping to improve the security of a Major Non-NATO Ally that is an important force for political stability and economic progress in the Middle East.

The proposed sale will improve Jordan's capability to meet current and future threats by ensuring continued interoperability with U.S. and coalition forces. These aircraft will modernize the Jordanian fighter aircraft fleet and support operational requirements associated with regional U.S.-coalition goals, such as countering violent extremist organizations, countering malign state and non-state actors, and border defense. Jordan will have no difficulty absorbing this equipment into its armed forces.

The proposed sale of this equipment and support will not alter the basic military balance in the region. The principal contractor will be Lockheed Martin, Greenville, South Carolina. There are no known offset agreements proposed in connection with this potential sale.

Implementation of this proposed sale will require the assignment of fewer than twenty (20) U.S. contractor representatives to Jordan for a duration of thirty-six (36) months to support secure storage requirements of critically controlled assets and provide on-site contractor logistics support.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

#### TRANSMITTAL NO. 22-06

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act

#### Annex Item No. vii

##### (vii) Sensitivity of Technology:

1. The F-16 Block 70 weapon system is a fourth generation single-engine supersonic all-weather multirole fighter aircraft and features advanced avionics and systems. It contains the General Electric F110-129D engine, AN/APG-83 radar, digital flight control system, embedded internal global navigation system, Joint Helmet Mounted Cueing Systems (JHMCS) II or Scorpion Hybrid Optical-

based Inertial Tracker (HOBIT) with Night Vision Device (NVD) capability, internal and external Electronic Warfare (EW) equipment, Advanced IFF, Link-16 datalink, operational flight trainer, and software computer programs.

2. The General Electric F110-129 engine is an afterburning turbofan jet engine that powers the F-16.

3. The Improved Programmable Display Generator (iPDG) and color multifunction displays utilize ruggedized commercial liquid crystal display technology that is designed to withstand the harsh environment found in modern fighter cockpits. The display generator is the fifth generation graphics processor for the F-16. Through the use of state-of-the-art microprocessors and graphics engines, it provided orders of magnitude increases in throughput, memory, and graphics capabilities.

4. The Scalable Agile Beam Radar (SABR) APG-83 is an Active Electronically Scanned Array (AESA) radar upgrade for the F-16. It includes higher processor power, higher transmission power, more sensitive receiver electronics, and Synthetic Aperture Radar (SAR), which creates higher-resolution ground maps from a greater distance than existing mechanically scanned array radars (e.g., APG-68). The upgrade features an increase in detection range of air targets, increases in processing speed and memory, as well as significant improvements in all modes.

5. The Modular Mission Computer (MMC) 7000AH is the central aircraft computer of the F-16. It serves as the hub for all aircraft subsystems and avionics data transfer.

6. The Embedded GPS-INS (EGI) with Selective Availability Anti-Spoofing Module (SAASM) is a self-contained navigation system that provides the following: acceleration, velocity, position, attitude, platform azimuth, magnetic and true heading, altitude, body angular rates, time tags, and coordinated universal time (UTC) synchronized time. SAASM enables the GPS receiver access to the encrypted P(Y) signal providing protection against active spoofing attacks.

7. The AN/ALQ-254 Viper Shield or equivalent Integrated Electronic Warfare (EW) Suite provides passive radar warning, wide spectrum Radio Frequency (RF) jamming, and control and management of the entire EW system. This system is anticipated to be internal to the aircraft although mounted pod variants are used in certain circumstances.

8. The AN/AAQ-33 Sniper Advanced Targeting Pods (ATP) is a single, lightweight targeting pod for military aircraft that provides positive target identification, autonomous tracking, Global Positioning System (GPS) coordinate generation, and precise weapons guidance from extended standoff ranges. It incorporates a high definition mid-wave forward-looking infrared (FLIR), dual-mode laser, visible-light high definition television (HDTV), laser spot tracker, video data link (VDL), and a digital data recorder.

9. The Link-16 is an advanced command, control, communications, and intelligence (C3I) system incorporating high capacity, jam-resistant, digital communication links for exchange of near real-time tactical information, including both data and voice, among air, ground, and sea elements. It provides the warfighter key theater functions such as surveillance, identification, air control, weapons engagement coordination, and direction for all services and allied forces. With modernized cryptography, Link-16 will ensure interoperability into the future.

10. AN/ARC-238 radio with HAVE QUICK II is a voice communications radio system that is equipped with HAVE QUICK II, which employs cryptographic technology. Other waveforms may be included as needed.

11. The AN/APX-126 or equivalent Advanced Identification Friend or Foe (AIFF) Combined Interrogator Transponder (CIT) is a system capable of transmitting and interrogating Mode 5, Mode 4 and Mode 5 anti-jam performance specifications/data, software source code, algorithms, and tempest plans or reports will not be offered, released discussed, or demonstrated.

12. The Joint Helmet Mounted Cueing System II (JHMCS II) or Scorpion Hybrid Optical-based Inertial Tracker (HObIT) is a device used in aircraft to project information to the pilot's eyes and aids in tasks such as cueing weapons and aircraft sensors to air and ground targets. This system projects visual targeting and aircraft performance information on the back of the helmet's visor, enabling the pilot to monitor this information without interrupting his/her field of view through the cockpit canopy. This provides improvement for close combat targeting and engagement.

13. The AN/ALE-47 Countermeasure Dispenser Set (CMOS) provides an integrated threat adaptive, computer controlled capability for dispensing chaff, flares, and active radio frequency expendables. The system is internally mounted and may be operated as a stand-alone system or may be integrated with other on-board Electronic Warfare (EW) and avionics systems. The AN/ALE-47 uses threat data received over the aircraft interfaces to assess the threat situation and determine a response. Expendable routines tailored to the immediate aircraft and threat environment may be dispensed using one of our operational modes.

14. The KY-58M is a lightweight terminal for secure voice and data communications. The KY-58M provides wideband/narrowband half duplex communication.

15. The KIV-78 is a crypto applique for IFF. It can be loaded with Mode 5 classified elements.

16. The Simple Key Loader (SKL) is a ruggedized, portable, hand-held device, for securely receiving, storing, and transferring data between compatible cryptographic and communications equipment.

17. Joint Mission Planning System (JMPS) is a multi-platform PC-based mission planning system.

18. The LAU-129 Guided Missile Launcher is capable of launching a single AIM-9 (Sidewinder) family of missiles or AIM-120 Advanced Medium Range Air-to-Air Missile (AMRAAM). The LAU-129 launcher provides mechanical and electrical interface between missile and aircraft.

19. The M61A1 Vulcan Cannon is a six-barreled automatic cannon chambered in 20x120mm with a cyclic rate of fire from 2,500-6,000 shots per minute. This weapon is a hydraulically powered air cooled Gatling gun used to damage/destroy aerial targets, suppress/incapacitate personnel targets and damage or destroy moving and stationary light material targets.

20. The Joint Programmable Fuze FMU-152 or FMU-139 fuzes are multi-delay sensors compatible with weapon guidance kits, tail kits, high-explosive bombs, and reduced collateral damage weapons which provide all arming and detonation event functions combined in a single fuze system.

21. The Joint Direct Attack Munitions (JDAM) is a guidance set that converts existing unguided bomb into an accurate, adverse weather "smart" munition. The Guidance Set consists of a Tail Kit, which contains the Inertial Navigation System (INS) and a Global Positioning System (GPS), a set of Aerosurfaces and an umbilical cover, which allows the JDAM to improve the accuracy of unguided, General Purpose bombs. The JDAM weapon can be delivered from modest standoff ranges at high or low altitudes

against a variety of land and surface targets during the day or night. JDAM is capable of receiving target coordinates via preplanned mission data from the delivery aircraft, by onboard aircraft sensors (i.e., FLIR, Radar, etc.) during captive carry, or from a third-party source via manual or automated aircrew cockpit entry. The Guidance Set, when combined with a warhead and appropriate fuze, forms a JDAM Guided Bomb Unit (GBU).

The KMU-556 is the tail kit for a GBU-31, 2,000 pound JDAM.

22. Laser JDAM (Joint Direct Attack Munitions) (GBU-54) converts existing unguided free-fall bombs into precision guided smart munitions by adding a new tail section containing Inertial Navigation System (INS) guidance/Global Positioning System (GPS) guidance and adds a semi-active laser seeker. This allows the weapon to strike targets moving at up to 70 mph. The LJDAM weapon consists of a DSU-38 sensor, a JDAM guidance set installed on bomb body and a fuze. The DSU-38 consists of a laser spot tracker (same size and shape as a DSU-33 proximity fuze), a cable connecting the DSU-38 to the basic JDAM guidance set, a cable cover, cable cover tie down straps, modified tail kit door and wiring harness, and associated modified JDAM software that incorporates navigation and guidance flight software to support both LJDAM and standard JDAM missions.

The KMU-572 is the tail kit for a GBU-54, 500 pound Laser JDAM.

23. The Paveway II (PWII) is a maneuverable, free-fall Laser Guided Bomb (LGB) that guides to a spot of laser energy reflected off the target. The LGB is delivered like a normal general purpose (GP) warhead and the semi-active guidance corrects for many of the normal errors inherent in any delivery system. Laser designation for the LGB can be provided by a variety of laser target markers or designators. An LGB consists of a MAU-209 or MAU-169 Computer Control Group (CCG), that is not warhead specific, and a warhead specific Air Foil Group (AFG) that attaches to the nose and tail of the GP bomb body.

The GBU-10 is a 2,000 lb GP bomb body fitted with the MXU-651 AFG to guide to its laser designated target. The inert GBU-12 uses a BDU-50 inert bomb body and MAU-169 CCG trainer for training purposes.

24. The Enhanced Paveway II (EP II) Laser Guided Bomb (LGB) is a maneuverable, all-weather, free-fall weapon that guides to a spot of laser energy reflected off the target. The "enhanced" component is the addition of GPS-aided Inertial Navigation Systems (GAINS) guidance to the laser seeker. Laser designation for the LGB can be provided by a variety of laser target markers or designators. The EP II consists of an MAU-210 Enhanced Computer Control Group (ECCG) that is not warhead specific and a warhead-specific Air Foil Group (AFG) that attaches to the nose and tail of a GP bomb body.

The EGBU-49 is a 500 pound GP bomb body fitted with the MXU-650 AFG to guide to its laser-designated target.

25. The Mk-84 General Purpose (GP) bomb body is a 2,000 pound, free-fall, unguided, lowdrag weapon.

26. The Mk-82 GP bomb body is a 500 pound, free-fall, unguided, low-drag weapon.

27. Mk-82 inert GP bomb body is a 500 pound, free-fall, unguided, low-drag weapon without the explosive fill.

28. The highest level of classification of defense articles, components, and services included in this potential sale is SECRET.

29. If a technologically advanced adversary were to obtain knowledge of the specific

hardware and software elements, the information could be used to develop countermeasures that might reduce weapon system effectiveness or be used in the development of a system with similar or advanced capabilities.

30. A determination has been made that Jordan can provide substantially the same degree of protection for the sensitive technology being released as the U.S. Government. This sale is necessary in furtherance of the U.S. foreign policy and national security objectives outlined in the Policy Justification.

31. All defense articles and services listed in this transmittal have been authorized for release and export to the Government of Jordan.

## ARMS SALES NOTIFICATION

Mr. MENENDEZ. Mr. President, section 36(b) of the Arms Export Control Act requires that Congress receive prior notification of certain proposed arms sales as defined by that statute. Upon such notification, the Congress has 30 calendar days during which the sale may be reviewed. The provision stipulates that, in the Senate, the notification of proposed sales shall be sent to the chairman of the Senate Foreign Relations Committee.

In keeping with the committee's intention to see that relevant information is available to the full Senate, I ask unanimous consent to have printed in the RECORD the notifications which have been received. If the cover letter references a classified annex, then such annex is available to all Senators in the office of the Foreign Relations Committee, room SD-423.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DEFENSE SECURITY  
COOPERATION AGENCY,  
Arlington, VA.

Hon. ROBERT MENENDEZ,  
Chairman, Committee on Foreign Relations,  
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 21-62 concerning the Navy's proposed Letter(s) of Offer and Acceptance to the Kingdom of Saudi Arabia for defense articles and services estimated to cost \$23.7 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

JAMES A. HURSCH,  
Director.

Enclosures.

TRANSMITTAL NO. 21-62

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser: Kingdom of Saudi Arabia.

(ii) Total Estimated Value:

Major Defense Equipment\* \$16.7 million.  
Other \$7.0 million.

Total \$23.7 million.

Funding Source: National Funds.

(iii) Description and Quantity or Quantities of Articles or Services Under Consideration for Purchase: Foreign Military Sales (FMS) case SR-P-LCO, was below congressional notification threshold at \$3.0 million



(\$2.823 million in MDE) and included eleven (11) Multifunctional Information Distribution System-Low Volume Terminals (MIDS-LVT). The Kingdom of Saudi Arabia (KSA) has requested the case be amended to include thirty-one (31) MIDS-LVT Block Upgrade 2 (BU2) terminals. This amendment will push the current case above the MDE notification threshold and thus requires notification of the entire case.

Major Defense Equipment (MDE):

Eleven (11) Multifunctional Information Distribution System-Low Volume Terminals (MIDS-LVT) Block Upgrade 1 (BUI).

Thirty-one (31) Multifunctional Information Distribution System-Low Volume Terminals (MIDS-LVT) Block Upgrade 2 (BU2).

Non-MDE: Also included is communications equipment; support equipment; engineering and technical support and assistance; training; and other related elements of logistics and program support.

(iii) Military Department: Navy (SR-P-LCO).

(iv) Prior Related Cases, if any: None.

(v) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None.

(vi) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: See Attached Annex.

(vii) Date Report Delivered to Congress: February 3, 2022.

\*As defined in Section 47(6) of the Arms Export Control Act.

#### POLICY JUSTIFICATION

Saudi Arabia—Multifunctional Information Distribution System-Low Volume Terminals (MIDS-LVT)

The Kingdom of Saudi Arabia has requested to buy thirty-one (31) Multifunctional Information Distribution System-Low Volume Terminals (MIDS-LVT) Block Upgrade 2 (BU2), that will be added to a previously implemented case. The original FMS case, valued at \$3.0 million, included eleven (11) Multifunctional Information Distribution System-Low Volume Terminals (MIDS-LVT) Block Upgrade 1 (BUI) and thirty-one (31) Multifunctional Information Distribution System-Low Volume Terminals (MIDS-LVT) Block Upgrade 2 (BU2). Also included is communications equipment; support equipment; engineering and technical support and assistance; training; and other related elements of logistics and program support. The total estimated cost is \$23.7 million.

This proposed sale will support U.S. foreign policy and national security objectives by helping to improve the security of a friendly country that continues to be an important force for political stability and economic growth in the Middle East.

The proposed sale will provide the Saudi armed forces with the equipment, training, and follow-on support necessary to protect Saudi Arabia, and the region, from the destabilizing effects of terrorism, countering Iranian influence, and other threats. The proposed MIDS-LVT (BU2) terminals will be installed on Terminal High Altitude Air Defense (THAAD) platforms, while the previously provided MIDS-LVT (BUI) terminals were installed on PATRIOT. Saudi Arabia will have no difficulty absorbing this equipment into its armed forces.

The proposed sale of this equipment and support will not alter the basic military balance in the region.

The principal contractor is undetermined as there will be a competitive contractual award process after LOA implementation. There are no known offset agreements proposed in connection with this potential sale.

Implementation of this sale will not require the assignment of any U.S. Government or contractor representatives to Saudi Arabia.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

#### ARMS SALES NOTIFICATION

Mr. MENENDEZ, Mr. President, section 36(b) of the Arms Export Control Act requires that Congress receive prior notification of certain proposed arms sales as defined by that statute. Upon such notification, the Congress has 30 calendar days during which the sale may be reviewed. The provision stipulates that, in the Senate, the notification of proposed sales shall be sent to the chairman of the Senate Foreign Relations Committee.

In keeping with the committee's intention to see that relevant information is available to the full Senate, I ask unanimous consent to have printed in the RECORD the notifications which have been received. If the cover letter references a classified annex, then such annex is available to all Senators in the office of the Foreign Relations Committee, room SD-423.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### DEFENSE SECURITY COOPERATION AGENCY, Arlington, VA.

Hon. ROBERT MENENDEZ,  
*Chairman, Committee on Foreign Relations,  
U.S. Senate, Washington, DC.*

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 21-56 concerning the Army's proposed Letter(s) of Offer and Acceptance to the Government of the United Arab Emirates for defense articles and services estimated to cost \$65.0 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

JAMES A. HURSC,  
*Director.*

Enclosures.

TRANSMITTAL NO. 21-56

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

Prospective Purchaser: Government of the United Arab Emirates.

(i) Total Estimated Value: Major Defense Equipment \$0.0 million.

Other \$65.0 million.

Total \$65.0 million.

Funding Source: National Funds.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase: Foreign Military Sales (FMS) case AE-B-KRG for a Foreign Military Sales Order (FMSO) II to provide funds for blanket order requisitions under a Cooperative Logistics Supply Support Agreement (CLSSA), was below the congressional notification threshold at \$30 million. The case included common spares/repair parts to support the United Arab Emirates' Homing All the Way Killer (HAWK), Phased Array Tracking Radar to Intercept on Target (PATRIOT), and Terminal High Altitude Area Defense (THAAD) weapon systems, additional support; and other related elements of

logistics and program support. The United Arab Emirates (UAE) has requested the case be amended to include funding to cover an additional three years. This amendment, which will add \$35 million of non-MDE, will push the current case above the congressional notification threshold, requiring notification of the entire case before the amendment can be offered.

Major Defense Equipment (MDE): None.

Non-MDE: Foreign Military Sales Order (FMSO) II to provide funds for blanket order requisitions under a Cooperative Logistics Supply Support Agreement (CLSSA) for common spares/repair parts to support the United Arab Emirates' Homing All the Way Killer (HAWK), Phased Array Tracking Radar to Intercept on Target (PATRIOT), and Terminal High Altitude Area Defense (THAAD) weapon systems, additional support; and other related elements of logistics and program support.

(iv) Military Department: Army (AE-B-KRG).

(v) Prior Related Cases, if any: TC-B-KVN, AE-B-KRB.

(vi) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None.

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: None.

(viii) Date Report Delivered to Congress: February 3, 2022.

\*As defined in Section 47(6) of the Arms Export Control Act.

#### POLICY JUSTIFICATION

United Arab Emirates—Foreign Military Sales Order (FMSO) II Case

The Government of the United Arab Emirates (UAE) has requested to buy a Foreign Military Sales Order (FMSO) II to provide funds for blanket order requisitions under a Cooperative Logistics Supply Support Agreement (CLSSA) for common spares/repair parts to support the United Arab Emirates' Homing All the Way Killer (HAWK), Phased Array Tracking Radar to Intercept on Target (PATRIOT), and Terminal High Altitude Area Defense (THAAD) weapon systems, additional support; and other related elements of logistics and program support. An earlier FMS case, valued at \$30 million, provided this requirement. The amended FMS case would extend the funding to cover an additional three years. The estimated total case value is \$65 million.

This proposed sale will support the foreign policy and national security of the United States by helping to improve the security of an important regional partner. The UAE is a vital U.S. partner for political stability and economic progress in the Middle East.

The UAE intends to utilize this follow-on support to maintain its air defense weapon systems in accordance with U.S. maintenance requirements and standards. This sale supports the UAE's existing ability to deter and defend against hostile threats by maintaining the operational readiness of critical air defense systems. The proposed sale will contribute to the UAE's ability to effectively integrate with U.S.-led coalitions and operate independently in support of U.S. interests and the security of U.S. forces in theater, and is consistent with U.S. bilateral and multilateral defense plans in the CENTCOM region. The UAE will have no difficulty absorbing this equipment and services into its armed forces.

The proposed sale of this equipment and support will not alter the basic military balance in the region.

There are no principal contractors involved with this potential sale. There are no known offset agreements associated with this sale.

Implementation of this sale will not require the assignment of any additional U.S.



Government or contractor representatives to the UAE.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

### ARMS SALES NOTIFICATION

Mr. MENENDEZ. Mr. President, section 36(b) of the Arms Export Control Act requires that Congress receive prior notification of certain proposed arms sales as defined by that statute. Upon such notification, the Congress has 30 calendar days during which the sale may be reviewed. The provision stipulates that, in the Senate, the notification of proposed sales shall be sent to the chairman of the Senate Foreign Relations Committee.

In keeping with the committee's intention to see that relevant information is available to the full Senate, I ask unanimous consent to have printed in the RECORD the notifications which have been received. If the cover letter references a classified annex, then such annex is available to all Senators in the office of the Foreign Relations Committee, room SD-423.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DEFENSE SECURITY  
COOPERATION AGENCY,  
Arlington, VA.

Hon. ROBERT MENENDEZ,  
Chairman, Committee on Foreign Relations,  
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 21-66, concerning the Army's proposed Letter(s) of Offer and Acceptance to the Taipei Economic and Cultural Representative Office in the United States (TECRO) for defense articles and services estimated to cost \$100 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

JAMES A. HURSH,  
Director.

Enclosures.

TRANSMITTAL NO. 21-66

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser: Taipei Economic and Cultural Representative Office in the United States (TECRO).

(ii) Total Estimated Value:

Major Defense Equipment\* \$0 million.

Other \$100.0 million.

Total \$100.0 million.

Funding Source: National Funds.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

Major Defense Equipment (MDE): None.

Non-MDE: Equipment and services to support participation in the Patriot International Engineering Services Program (IESP) and Field Surveillance Program (FSP) for five years, including engineering services support, designed to sustain, maintain, and improve the Patriot Air Defense System within the performance envelope described in the system specification through the investigation and resolution of identified problems; missile field surveillance support for legacy (Guidance Enhanced Missile

(GEM)) and Patriot Advanced Capability-3 (PAC-3) missiles, designed to ensure the reliability and performance of the Patriot missile through storage and aging programs, surveillance firing programs, and configuration management; legacy and PAC-3 missile stockpile reliability testing, to provide quantitative reliability assessments of the deployed missile round; U.S. Government and contractor technical and logistics support, and other related elements of program support. Participation in the shared IESP and FSP for the life of the Patriot system is a requirement of the U.S. Government.

(iv) Military Department: Army (TW-B-ZDQ).

(v) Prior Related Cases, if any: TW-B-YYV, TW-B-ZBI.

(vi) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None.

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: None.

(viii) Date Report Delivered to Congress: February 7, 2022.

\*As defined in Section 47(6) of the Arms Export Control Act.

### POLICY JUSTIFICATION

Taipei Economic and Cultural Representative Office in the United States—International Engineering Services Program (IESP) and Field Surveillance Program (FSP) Support

Taipei Economic and Cultural Representative Office in the United States (TECRO) has requested to buy equipment and services to support participation in the Patriot International Engineering Services Program (IESP) and Field Surveillance Program (FSP) for five years, including engineering services support, designed to sustain, maintain, and improve the Patriot Air Defense System within the performance envelope described in the system specification through the investigation and resolution of identified problems; missile field surveillance support for legacy (Guidance Enhanced Missile (GEM)) and Patriot Advanced Capability-3 (PAC-3) missiles, designed to ensure the reliability and performance of the Patriot missile through storage and aging programs, surveillance firing programs, and configuration management; legacy and PAC-3 missile stockpile reliability testing, to provide quantitative reliability assessments of the deployed missile round; U.S. Government and contractor technical and logistics support, and other related elements of program support. Participation in the shared IESP and FSP for the life of the Patriot system is a requirement of the U.S. Government. The total estimated program cost is \$100.0 million.

This proposed sale is consistent with U.S. law and policy as expressed in Public Law 96-8.

This proposed sale serves U.S. national, economic, and security interests by supporting the recipient's continuing efforts to modernize its armed forces and to maintain a credible defensive capability. The proposed sale will help improve the security of the recipient and assist in maintaining political stability, military balance, economic and progress in the region.

The proposed sale will help to sustain the recipient's missile density and ensure readiness for air operations. The recipient will use this capability as a deterrent to regional threats and to strengthen homeland defense. The recipient will have no difficulty absorbing this equipment and services into its armed forces.

The proposed sale of this equipment and support will not alter the basic military balance in the region.

The prime contractors will be Raytheon Technologies in Andover, MA; and Lockheed

Martin in Camden, AK. There are no known offset agreements proposed in connection with this potential sale.

Implementation of this proposed sale will not require the permanent assignment of any additional U.S. Government or contractor representatives to recipient. Support teams will travel to recipient on a temporary basis.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

### ANNUAL REPORT FOR THE SELECT COMMITTEE ON ETHICS

Mr. COONS. Mr. President, I ask unanimous consent, for myself as Chairman of the Select Committee on Ethics and for Senator LANKFORD, vice chairman of the committee, that the Annual Report of the Select Committee on Ethics for calendar year 2021 be printed in the RECORD. The committee issued this report on January 31, 2022, as required by the Honest Leadership and Open Government Act of 2007.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

### ANNUAL REPORT OF THE SELECT COMMITTEE ON ETHICS

117TH CONGRESS, SECOND SESSION—JANUARY 31,  
2022

The Honest Leadership and Open Government Act of 2007 (the Act) calls for the Select Committee on Ethics of the United States Senate to issue an annual report no later than January 31st of each year providing information in certain categories describing its activities for the preceding year. Reported below is the information describing the Committee's activities in 2021 in the categories set forth in the Act:

(1) The number of alleged violations of Senate rules received from any source, including the number raised by a Senator or staff of the Committee—98 (In addition, 20 alleged violations from previous years were carried into 2021.)

(2) The number of alleged violations that were dismissed—

(A) For lack of subject matter jurisdiction or in which, even if the allegations in the complaint are true, no violation of Senate rules would exist: 78.

(B) Because they failed to provide sufficient facts as to any material violation of the Senate rules beyond mere allegation or assertion: 11.

(3) The number of alleged violations for which the Committee staff conducted a preliminary inquiry: 32. (This figure includes 20 matters from previous years carried into 2021.)

(4) The number of alleged violations for which the Committee staff conducted a preliminary inquiry that resulted in an adjudicatory review: 0.

(5) The number of alleged violations for which the Committee staff conducted a preliminary inquiry and the Committee dismissed the matter for lack of substantial merit or because it was inadvertent, technical or otherwise of a *de minimis* nature: 19.

(6) The number of alleged violations for which the Committee staff conducted a preliminary inquiry and the Committee issued private or public letters of admonition: 0.

(7) The number of matters resulting in a disciplinary sanction: 0.

(8) Any other information deemed by the Committee to be appropriate to describe its activities in the previous year:

In 2021, the Committee staff conducted 17 Member and office campaign activity briefings; 22 employee code of conduct training sessions; 2 public financial disclosure clinics, seminars, and webinars; 7 ethics seminars and customized briefings for Member DC offices, state offices, and Senate committees; and 2 private sector ethics briefings.

In 2021, the Committee staff handled approximately 7,560 inquiries (via telephone and email) for ethics advice and guidance.

In 2021, the Committee wrote approximately 443 ethics advisory letters and responses including, but not limited to, 272 travel and gifts matters (Senate Rule 35) and 114 conflict of interest matters (Senate Rule 37).

In 2021, the Committee received 3,876 public financial disclosure and periodic disclosure of financial transactions reports.

#### REMEMBERING MICHAEL L. DUFFY

Mr. GRASSLEY. Mr. President, today I pay tribute to a very dear friend who was welcomed home to the Lord last month in Davenport, IA, surrounded by his loving family.

Mike Duffy was a pillar in his community, church, and profession. A born leader, Mike never met a stranger. He leaves the world a better place, and he will be greatly missed by his family and friends, including this U.S. Senator. He graced his community and congregation with a larger than life presence. Mike wasn't born with a silver spoon in his mouth; he was born with a heart of gold.

Mike grew up across the street from Sacred Heart Cathedral in Davenport. A soldier of Christ, he lived the sacraments and his Catholic faith in word and deed, practicing the Corporal Works of Mercy with humility and purpose. He was steeped in Catholic education, graduating from Sacred Heart Grade School, Assumption High School, and St. Ambrose University.

When Mike was around age 11, I am guessing he went to confession to ask forgiveness for a little white lie. That is around the time Mike fibbed about his age to land a job as a paperboy for the Quad-City Times. From there, Mike's tireless work ethic grew from one year to the next. He soon joined the family business and never looked back.

His parents, John and Eleanor, moved to the Quad Cities to pursue the American Dream. Here, they started a security business from scratch. These risk-taking entrepreneurs were among my earliest supporters in Scott County. Thanks to their support, they helped me gain a foothold among local Republicans. Ever since, I have worked hard to earn and grow grassroots support for my Senate campaigns in Scott County. I am grateful that support continued through the branches of the family tree with their son Mike.

As I mentioned, Mike was a go-getter from the get-go. He worked his way up the ladder from the bottom rung, cleaning dog kennels. In high school and through college, he continued climbing the work ladder at the family business. He studied hard in school and

learned as much from the School of Hard Knocks. He enjoyed people from all walks of life and treated everyone he encountered with respect and dignity.

Mike was frugal with his hard-earned money and generous with those who needed it most. He was devout in his Catholic faith and devoted to his bride Linda, with whom he enjoyed 48½ years of marital bliss. Their marriage was blessed with seven children: Brendon, Bridget, Brianna, Bradley, Brian, Bethany, and son Ben, who passed away a year to the day prior to his father's death.

Through the decades, Mike and Linda grew the family business together. Mike wore many hats at the business, from dispatch supervisor, to alarm manager, vice president of operations, executive vice president, chief operating officer, president, and CEO. They grew the business into the largest family-owned, full-service security provider in the Midwest.

His professional life also included work as a licensed private detective, holding U.S. Government Secret clearance. And still, Mike had more to give beyond the workplace. An indefatigable civic leader, Mike served on a slew of boards and committees, including alumni president of St. Ambrose University, the Davenport Chamber of Commerce, the Handicapped Development Center, and more.

His civic engagement made room for politics, as well. Throughout his life, he supported conservative causes, championing pro-life and Catholic education.

Our paths crossed countless times through the years. Barbara and I very much enjoyed our decades-long friendship. Mike and Linda's hospitality was second to none. Some years ago, the Duffys opened up their home to me for an overnight visit. As it happens, I spend a lot of nights on the road over the years for my 99 county meetings. It is a treat to skip the hotel and be invited to stay in someone's home. It was an even bigger treat to spend time discussing current events and politics with Mike Duffy. On this particular visit, there was a bit of excitement underfoot at the bustling Duffy household. The family was making room for another addition, a duckling hatched the night of my sleepover. So, naturally, Mike and the kids named the duck "Chuck."

Suffice it to say, I am going to miss his sense of humor.

Barbara and I send our heartfelt condolences to the entire Duffy family, including 31 grandchildren. May his legacy of service and citizenship continue to live on his community and through the growing branches of the Duffy family tree. And may my brother in Christ rest in eternal Happiness, joyfully in the arms of our Lord in everlasting life.

#### REMEMBERING DEWEY DEWITT

Ms. COLLINS. Mr. President, through a legendary broadcasting career spanning more than seven decades, Maine's Dewey DeWitt was the "Voice of Aroostook County." Dewey passed away on January 5 at 99 years of age, but his voice and his contributions will never be forgotten.

As a native of the county, a longtime fan, and a friend, I offer my deepest condolences to his family. In this time of sorrow, I am sure they will find comfort in knowing how much Dewey meant to so many.

Dewey first went on the air in 1950, the year a radio station began operations in Houlton, the Shiretown of Aroostook County. When a television station began broadcasting from Presque Isle a few years later, Dewey was the first person seen by viewers.

Like many others in Northern Maine, I grew up listening to Dewey. From interviews with public officials to the daily news to high school basketball, he kept us informed.

Indeed, the hallmark of Dewey's career was his devotion to local sports, especially high school basketball. It is estimated that Dewey called the play-by-play of more than 3,000 games over the years.

Every sportscaster has that one indelible memory that stands alone. For Dewey and me, it was a memory we shared with people throughout the region. In 1969, when I was a student at Caribou High School, our boys' basketball team won its first-ever State championship on a last-second shot by Mike Thurston from beyond midcourt. I was at that exciting game, but it was Dewey's voice that brought that thrilling moment to listeners across Maine. More than a half-century later, Dewey could still recall that game and that shot in vivid detail.

Although Dewey retired from daily broadcasting some years ago, he remained active with a frequent show on WHOU radio called, "Talk of the Town." Whenever I visited Houlton, I loved stopping to see Dewey for a chat.

Dewey's interviews were a shining example of how it should be done. He was always informed and insightful, with a keen understanding of how national issues affected the people in his audience. In our most recent interview, in October of 2021, he asked probing questions about border security, the appropriations process, our national debt, and pandemic recovery, among other important topics.

Dewey DeWitt's work was recognized by the Maine Sports Hall of Fame, the Maine Basketball Hall of Fame's Legends of the Game, and the Maine Association of Broadcasters Hall of Fame. But I know that the tribute that meant the most to him was the affection people throughout Aroostook County will always have for him. I join them in celebrating his remarkable life and in recognizing him for a voice that brought us together as a community.

## MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Swann, one of his secretaries.

## EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations and a withdrawal which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

## PRESIDENTIAL MESSAGE

## REPORT OF THE CONTINUATION OF THE NATIONAL EMERGENCY THAT WAS ORIGINALLY DECLARED IN EXECUTIVE ORDER 14014 OF FEBRUARY 10, 2021, WITH RESPECT TO BURMA—PM 20

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

*To the Congress of the United States:*

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, within 90 days prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency with respect to the situation in and in relation to Burma declared in Executive Order 14014 of February 10, 2021, is to continue in effect beyond February 10, 2022.

The situation in and in relation to Burma, and in particular the February 1, 2021 coup, in which the military overthrew the democratically elected civilian government of Burma and unjustly arrested and detained government leaders, politicians, human rights defenders, journalists, and religious leaders, thereby rejecting the will of the people of Burma as expressed in elections held in November 2020 and undermining the country's democratic transition and rule of law, continues to pose an unusual and extraordinary threat to the national security and foreign policy of the United States. Therefore, I have determined that it is necessary to continue the national emergency declared in Executive Order 14014 with respect to Burma.

JOSEPH R. BIDEN, Jr.  
THE WHITE HOUSE, February 7, 2022.

## INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. THUNE (for himself, Ms. SMITH, Mr. WICKER, and Mr. CASEY):

S. 3587. A bill to modify conditions of funding for the distance learning, telemedicine, and broadband program of the Rural Utilities Service, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. ROMNEY (for himself and Ms. HASSAN):

S. 3588. A bill to amend the Public Health Service Act to improve domestic manufacturing surge capacity and capabilities for biodefense and pandemic preparedness; to the Committee on Health, Education, Labor, and Pensions.

By Mr. RUBIO (for himself and Mr. MENENDEZ):

S. 3589. A bill to require a United States security strategy for the Western Hemisphere, and for other purposes; to the Committee on Foreign Relations.

By Ms. HASSAN (for herself and Mr. BLUNT):

S. 3590. A bill to amend the Internal Revenue Code of 1986 to increase the income cap with respect to the mortgage insurance premium deduction, and to make such deduction permanent; to the Committee on Finance.

By Mr. MENENDEZ (for himself, Mr. RISCH, Mr. KAINE, and Mr. RUBIO):

S. 3591. A bill to strengthen the bilateral partnership between the United States and Ecuador in support of democratic institutions and rule of law, sustainable and inclusive economic growth, and conservation; to the Committee on Foreign Relations.

By Mr. SANDERS:

S. 3592. A bill to provide additional funding for firefighter staffing and safety grants, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. PAUL:

S.J. Res. 35. A joint resolution providing for congressional disapproval of the proposed foreign military sale to the Government of Egypt of certain defense articles and services; to the Committee on Foreign Relations.

By Mr. PAUL:

S.J. Res. 36. A joint resolution providing for congressional disapproval of the proposed foreign military sale to the Government of Egypt of certain defense articles and services; to the Committee on Foreign Relations.

## ADDITIONAL COSPONSORS

S. 99

At the request of Mr. PAUL, the name of the Senator from Oklahoma (Mr. LANKFORD) was added as a cosponsor of S. 99, a bill to implement equal protection under the 14th Amendment to the Constitution of the United States for the right to life of each born and preborn human person.

S. 407

At the request of Mr. RUBIO, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 407, a bill to provide redress to the employees of Air America.

S. 444

At the request of Ms. COLLINS, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S.

444, a bill to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to provide or assist in providing an additional vehicle adapted for operation by disabled individuals to certain eligible persons.

S. 773

At the request of Mr. THUNE, the name of the Senator from Montana (Mr. DAINES) was added as a cosponsor of S. 773, a bill to enable certain hospitals that were participating in or applied for the drug discount program under section 340B of the Public Health Service Act prior to the COVID-19 public health emergency to temporarily maintain eligibility for such program, and for other purposes.

S. 912

At the request of Ms. HIRONO, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 912, a bill to amend title XVIII of the Social Security Act to provide information regarding vaccines for seniors as part of the Medicare & You handbook and to ensure that the treatment of cost sharing for vaccines under Medicare part D is consistent with the treatment of vaccines under Medicare part B, and for other purposes.

S. 1259

At the request of Ms. DUCKWORTH, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 1259, a bill to provide that crib bumpers shall be considered banned hazardous products under section 8 of the Consumer Product Safety Act, and for other purposes.

S. 1309

At the request of Ms. COLLINS, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 1309, a bill to provide payments for home health services furnished via visual or audio telecommunications systems during an emergency period.

S. 1536

At the request of Ms. COLLINS, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 1536, a bill to amend title XVIII of the Social Security Act to expand the availability of medical nutrition therapy services under the Medicare program.

S. 1848

At the request of Mrs. GILLIBRAND, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 1848, a bill to prohibit discrimination on the basis of religion, sex (including sexual orientation and gender identity), and marital status in the administration and provision of child welfare services, to improve safety, well-being, and permanency for lesbian, gay, bisexual, transgender, and queer or questioning foster youth, and for other purposes.

S. 2005

At the request of Mr. BOOZMAN, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 2005, a bill to amend the Richard B.

Russell National School Lunch Act to require alternative options for summer food service program delivery.

S. 2061

At the request of Mr. CASSIDY, the names of the Senator from Alaska (Ms. MURKOWSKI) and the Senator from Nevada (Ms. CORTEZ MASTO) were added as cosponsors of S. 2061, a bill to amend title XVIII of the Social Security Act to ensure coverage of mental health services furnished through telehealth.

S. 2132

At the request of Mr. BRAUN, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S. 2132, a bill to amend title 5, United States Code, to limit the use of taxpayer funded union time for employees of the Internal Revenue Service, and for other purposes.

S. 2675

At the request of Mr. CARDIN, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 2675, a bill to amend the American Rescue Plan Act of 2021 to increase appropriations to Restaurant Revitalization Fund, and for other purposes.

S. 2798

At the request of Mr. CRAPO, the name of the Senator from Colorado (Mr. HICKENLOOPER) was added as a cosponsor of S. 2798, a bill to amend the Radiation Exposure Compensation Act to improve compensation for workers involved in uranium mining, and for other purposes.

S. 2872

At the request of Mr. WARNER, the names of the Senator from New Mexico (Mr. HEINRICH), the Senator from Colorado (Mr. HICKENLOOPER), the Senator from New Jersey (Mr. MENENDEZ) and the Senator from Hawaii (Mr. SCHATZ) were added as cosponsors of S. 2872, a bill to amend the Internal Revenue Code of 1986 to increase the adjusted gross income limitation for above-the-line deduction of expenses of performing artist employees, and for other purposes.

S. 2981

At the request of Mr. RUBIO, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 2981, a bill to amend the National Housing Act to establish a mortgage insurance program for first responders, and for other purposes.

S. 3193

At the request of Mr. DAINES, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 3193, a bill to amend title XVIII of the Social Security Act to expand the scope of practitioners eligible for payment for telehealth services under the Medicare program, and for other purposes.

S. 3263

At the request of Mr. SCOTT of Florida, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 3263, a bill to require the Inspector General of the Depart-

ment of Homeland Security to investigate the vetting and processing of illegal aliens apprehended along the southwest border and to ensure that all laws are being upheld.

S. 3301

At the request of Mr. RUBIO, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 3301, a bill to prohibit discrimination on the basis of mental or physical disability in cases of organ transplants.

S. 3334

At the request of Mr. GRASSLEY, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 3334, a bill to extend the authority for the establishment of a commemorative work to honor enslaved and free black persons who served in the American Revolution, and for other purposes.

S. 3554

At the request of Mr. SCOTT of South Carolina, the name of the Senator from North Dakota (Mr. CRAMER) was added as a cosponsor of S. 3554, a bill to establish an alternative use of certain Federal education funds when in-person instruction is not available.

S. 3555

At the request of Mr. SCOTT of Florida, the name of the Senator from Louisiana (Mr. KENNEDY) was added as a cosponsor of S. 3555, a bill to amend the Occupational Safety and Health Act of 1970 to clarify the scope of the authority for emergency temporary standards, and for other purposes.

S. 3567

At the request of Mr. RUBIO, the names of the Senator from Iowa (Ms. ERNST) and the Senator from Louisiana (Mr. KENNEDY) were added as cosponsors of S. 3567, a bill to modify the limitation on military-to-military exchanges and contacts with the People's Liberation Army to cover all logistical operations and remove the exception for search-and-rescue and humanitarian operations and exercises.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. THUNE (for himself, Ms. SMITH, Mr. WICKER, and Mr. CASEY):

S. 3587. A bill to modify conditions of funding for the distance learning, telemedicine, and broadband program of the Rural Utilities Service, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. THUNE. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 3587

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Connect Unserved Americans Act of 2022”.

#### SEC. 2. DISTANCE LEARNING, TELEMEDICINE, AND BROADBAND PROGRAM.

The Infrastructure Investment and Jobs Act (Public Law 117-58) is amended in the third proviso under the heading “DISTANCE LEARNING, TELEMEDICINE, AND BROADBAND PROGRAM” under the heading “RURAL UTILITIES SERVICE” under the heading “RURAL DEVELOPMENT PROGRAMS” under the heading “DEPARTMENT OF AGRICULTURE” in title I of division J by striking “50 percent” and inserting “80 percent”.

#### SEC. 3. COORDINATION WITH TREASURY DEPARTMENT ON DISTRIBUTION OF BROADBAND DEPLOYMENT FUNDS.

(a) IN GENERAL.—Section 904(b) of division FF of the Consolidated Appropriations Act, 2021 (47 U.S.C. 1308(b)) is amended—

(1) in paragraph (1)(A)—

(A) in clause (ii), by striking “and” at the end; and

(B) by adding at the end the following:

“(iv) the Department of the Treasury; and”; and

(2) in paragraph (2)—

(A) in subparagraph (B), by striking “and” at the end;

(B) in subparagraph (C), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(D) the programs administered by the Department of the Treasury.”.

(b) DEADLINE.—Not later than 30 days after the date of enactment of this Act, the covered agencies (as defined in section 904(b) of division FF of the Consolidated Appropriations Act, 2021 (47 U.S.C. 1308(b)), as amended by subsection (a) of this section) shall implement the amendments made by subsection (a) of this section.

#### ORDERS FOR TUESDAY, FEBRUARY 8, 2022

Ms. SMITH. Mr. President, I ask unanimous consent that when the Senate completes its business today, it recess until 10 a.m. on Tuesday, February 8; that following the prayer and pledge, the Journal of Proceedings be approved to date; that the time for the two leaders be reserved for their use later in the day and morning business be closed; that upon the conclusion of morning business, the Senate proceed to executive session to resume consideration of the Bush nomination; further, at 11:45 a.m. the Senate vote on the confirmation of the Howard and AliKhan nominations and that following the disposition of the AliKhan nomination, the Senate recess until 2:15 p.m. to allow for the weekly caucus meetings; that at 2:30 p.m., the Senate vote on confirmation of the Gutmann and Carty nominations; finally, if any nominations are confirmed during Tuesday's session, the motions to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### RECESS UNTIL FEBRUARY 8, 2022 AT 10 A.M.

Ms. SMITH. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand in recess under the previous order.

There being no objection, the Senate at 7:03 p.m., recessed until Tuesday, February 8, 2022 at 10 a.m.

**NOMINATIONS**

Executive nominations received by the Senate:

UNITED STATES INSTITUTE OF PEACE

MARY GREEN SWIG, OF CALIFORNIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE UNITED STATES INSTITUTE OF PEACE FOR A TERM OF FOUR YEARS, VICE JOHN A. LANCASTER, TERM EXPIRED.

DEPARTMENT OF HOMELAND SECURITY

ALICE HILL, OF THE DISTRICT OF COLUMBIA, TO BE DEPUTY ADMINISTRATOR FOR RESILIENCE, FEDERAL EMERGENCY MANAGEMENT AGENCY, DEPARTMENT OF HOMELAND SECURITY, VICE DANIEL J. KANIEWSKI.

**CONFIRMATIONS**

Executive nominations confirmed by the Senate February 7, 2022:

**THE JUDICIARY**

EBONY M. SCOTT, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSOCIATE JUDGE OF THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA FOR THE TERM OF FIFTEEN YEARS.

DONALD WALKER TUNNAGE, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSOCIATE JUDGE OF THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA FOR A TERM OF FIFTEEN YEARS.

MILLENNIUM CHALLENGE CORPORATION

ALICE P. ALBRIGHT, OF THE DISTRICT OF COLUMBIA, TO BE CHIEF EXECUTIVE OFFICER, MILLENNIUM CHALLENGE CORPORATION.

PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD

SHARON BRADFORD FRANKLIN, OF MARYLAND, TO BE CHAIRMAN AND MEMBER OF THE PRIVACY AND CIVIL

LIBERTIES OVERSIGHT BOARD FOR THE REMAINDER OF THE TERM EXPIRING JANUARY 29, 2024.

BETH ANN WILLIAMS, OF NEW JERSEY, TO BE A MEMBER OF THE PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD FOR A TERM EXPIRING JANUARY 29, 2026.

**WITHDRAWAL**

Executive Message transmitted by the President to the Senate on February 7, 2022 withdrawing from further Senate consideration the following nomination:

MARY GREEN SWIG, OF CALIFORNIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE UNITED STATES INSTITUTE OF PEACE FOR A TERM OF FOUR YEARS, VICE STEPHEN D. KRASNER, TERM EXPIRED, WHICH WAS SENT TO THE SENATE ON FEBRUARY 3, 2022.